

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3616 of 2019

Arising Out of PS. Case No.-258 Year-2018 Thana- BAIKUNTHPUR District- Gopalganj

Dwarika Singh, son of late Vindeshavari Singh, Resident of Village -
Mashrak, Police Station- Mashrak, District - Chapra (Saran).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vipin Kumar Singh, Advocate.

For the Opposite Party/s : Syed Ehteshamuddin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 30-01-2019 Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in **Baikunthpur P.S. Case**
No. 258 of 2018, instituted for the offence under Section(s)
30(A), 41, 32(b) II and 38(I) of Bihar Excise Act, 2016.

It is alleged in the written report that while the informant along with other police personnel was on patrolling duty saw one Bolero vehicle coming from opposite side of Dubauli Railway Crossing. The informant gave signal to stop the car. After stopping the car it was searched. The police recovered liquor kept in a carton from the Bolero Car. The person who was found sitting in the car disclosed his name as Kanhaiya Sharma. The other person seated in the car managed to run away.



Counsel for the petitioner submits that there is no recovery of any incriminating article from possession of the petitioner. Petitioner has been implicated in the instant case on the ground that he is owner of the aforesaid vehicle. There is no recovery of any incriminating article from conscious possession of the petitioner.

Petitioner is in custody since 29.11.2018 having clean antecedent.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **Additional District & Sessions Judge-II-cum-Special Judge, Excise, Gopalganj**, in connection with **Baikunthpur P.S. Case No. 258 of 2018**, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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