

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7743 of 2019

Arising Out of PS. Case No.-407 Year-2018 Thana- MASHRAK District- Saran

RAJ KUMAR @ RAJ KUMAR SINGH, aged about 37 years, Male, Son of
Durga Singh @ Durga Dutt Singh, Resident of Village-Deoriya, P.S.-
Mashrakh, District- saran at Chapra ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Dewendra Narayan Singh, Adv.
For the Opposite Party : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 11-02-2019 Heard the learned counsel for the petitioner and the
learned counsel appearing for the State.

The petitioner is languishing in judicial custody since
06.12.2018 in connection with Mashrakh P.S. Case No. 407 of
2018 for the offences alleged under Sections 420, 188, 272 and
273 of the Indian Penal Code and under Sections 30, 30(a) and
41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police
personnel, is that when he was on evening patrolling and was
returning from Bansohi market he found a container truck and
on suspicion he stopped the said truck, bearing registration no.
HR-38W-4493. On search of the basement of the truck, huge
quantity of illegal foreign liquor was found. On demand the
driver did not produce the document regarding the hidden
foreign liquor. Accordingly, a seizure list was prepared.



It has been submitted by the learned counsel for the petitioner that the petitioner was sitting in the truck only and was not aware of the foreign liquor concealed inside. The petitioner is innocent and has falsely been implicated in the case, bears no criminal antecedent and nothing has been recovered from the conscious possession of the petitioner.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named be released on bail, **on completion of three months in custody**, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Mashrakh P.S. Case No. 407 of 2018 to the satisfaction of the learned Additional District & Sessions Judge, VI, Saran at Chapra.

(Nilu Agrawal, J)

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