

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7690 of 2019

Arising Out of PS. Case No.-80 Year-2018 Thana- BAKHTIYARPUR RAIL P.S. District-
Patna

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Kamlesh Singh @ Kamini Singh @ Kamni Singh (Male), aged about 42 years, Son of Ram Kumar Singh, Resident of Village-Naya Tola, Hamhiya, Police Station – Bakhtiyarpur, District – Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Satyadeo Singh Yadav

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

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

learned APP for the State.

The petitioner is languishing in custody since 12.12.2018 in a case registered for the offences punishable under Section 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case as per the written report of A.S.I., Sunil Kumar Singh dated 13.07.2018 submitted to the Station House Officer of Rail P.S., Bakhtiyarpur is to the effect that the informant received a secret information to the effect that through train illicit liquor is being transported, consequently, a raid was laid on Platform No. 2 of Bakhtiyarpur Railway Station when four persons were



apprehended, who disclosed their names as Hareram Kumar, Grigesh Kumar, Atal Kumar and Niraj Kumar and from their possession, 947 litres of illicit foreign liquor were recovered. The apprehended persons also disclosed the name of other persons including the petitioner, who escaped from the scene.

It is submitted by learned counsel for the petitioner that the recovery has not been made from the petitioner and the name of the petitioner sprang up on the confessional statement of the apprehended co-accused. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the name of the petitioner sprang up on the confessional statement of the apprehended co-accused from whom recovery has been made.

Considering the suspicious nature of accusation and the period under custody, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner 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 Special Judge,
Excise, Patna in connection with Special Case No. 6419 of
2018, arising out of Rail P.S. (Bakhtiyarpur) Case No. 80 of
2018.

(Dinesh Kumar Singh, J)

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