

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14170 of 2019

Arising Out of PS. Case No.-84 Year-2018 Thana- SARAIYA District- Muzaffarpur

OMPAL SINGH, S/o Lokesh, R/o Village Muthiyani, P.S. Jarcha (Jaicha),
Distt- Gautambudh Nager, U.P.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chhote Lal Mishra
For the Opposite Party/s : Mr.Bishweshwar Ram

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 13-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 272, 273, 414/34 of the Indian Penal Code and Section 30(a), 32(ii), 38(ii) and 41(i) of the Bihar Prohibition and Excise Act, 2016.

2169 litres of country made liquor is said to have been recovered from the truck and the petitioner who happens to be its driver was apprehended.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner. He has no knowledge of loading of the liquor in the carton on the truck. He



has been falsely implicated in the case. He has no criminal antecedent. Earlier vide order dated 02.08.2018 his bail petition was rejected and trial court was directed to conclude the trial within a period of six months from the date of receipt/production of a copy of this order but in the case even charge has not been framed . Petitioner has been languishing in custody since 16.03.2018.

On the other hand learned APP opposed the bail prayer of the petitioner.

Having regard to the facts and circumstancesx and considering the period of custody, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Muzaffarpur in connection with Saraiya P.S. Case No. 84 of 2018.

(Prakash Chandra Jaiswal, J)

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