

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33292 of 2019**

Arising Out of PS. Case No.-40 Year-2019 Thana- BAHERI District- Darbhanga

Vikash Kumar S/o Anand Paswan @ Anandi Paswan R/o Village-
Kusheshwar Asthan, P.S.- Kusheshwar Asthan, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Abhay Kumar

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

ORAL ORDER

2 20-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Baheri
P.S. Case No. 40 of 2019 registered for the offence punishable
under Sections 420, 467, 468, 120(B) of the Indian Penal Code
and Sections 30(a), 35 of Bihar Prohibition and Excise Act-
2016.

Petitioner and one Md. Danish are said to have
been apprehended in the course of escaping from the truck and
huge quantity of liquor was recovered from the said truck.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious
physical possession of the petitioner. Petitioner has no concern



either the seized liquor or with the truck in question. He has been falsely implicated in this case merely on suspicion while he was passing through the place of occurrence at the time of occurrence. Petitioner has no criminal antecedent and has been languishing in custody since 05.03.2019. Aforesaid Md. Danish and another have been enlarged on bail by a co-ordinate Bench of this Court vide order dated 01.05.2019 passed in Cr. Misc. No. 28417 of 2019.

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

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-V-cum-Special Judge, Excise, Darbhanga in connection with Baheri P.S. Case No. 40 of 2019.

(Prakash Chandra Jaiswal, J)

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