

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34961 of 2019

Arising Out of PS. Case No.-249 Year-2018 Thana- DHAKA District- East Champaran

BHAGYA NARAYAN SINGH @ SIPAHI SINGH @ BHAGYANARAYAN
Son of Sakal Singh @ Babu Sakal Singh Resident of Village - Bhakurahiya,
P.S.- Patahi, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-05-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 4.5.2019 in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that during patrolling, the informant being the ASI, Pachpakri O.P. saw two persons coming on a motorcycle from Nepal and on signalling them to stop, both started fleeing away leaving behind a bag but on chase, one person was arrested who disclosed his name as Bhagya Narayan Singh, the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner has maliciously been framed in the present case. The recovery has not been made from the conscious physical



possession of the petitioner. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner escaped from the scene.

Considering the nature of recovery, the period under custody, coupled with statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, 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 the learned Additional Sessions Judge -IX-cum-Special Judge, Excise, Motihari in connection with Dhaka (Pachpakadi) P.S. Case No.249 of 2018.

(Dinesh Kumar Singh, J)

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