

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36393 of 2019

Arising Out of PS. Case No.-237 Year-2018 Thana- LADANIA District- Madhubani

Vikash Kumar Singh, son of Umesh Kumar Singh @ Umesh Singh, resident of village Laskariya, P.S. Jayanagar, District Madhubani.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

02 19-06-2019 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 and 273 of the Indian Penal Code, Section 30(a) of the Bihar Prohibition and Excise Act, 2016 and Section 25 (1-b)A and 26 of the Arms Act.

450 liters of Nepali liquor, one country made pistol and one live cartridge are said to have been recovered from Tata Indica Car and the petitioner was apprehended in the course of escaping from car.

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 concern either



with the seized article or with the vehicle in question. He does not know driving of the vehicle. He has been falsely implicated in this case by the police merely on suspicion while he was passing through the place of occurrence at the time of occurrence while the real culprit managed to escape dumping the aforesaid article in the vehicle seeing the police party. He has been languishing in custody since 25.10.2018. Earlier the bail prayer of the petitioner was rejected on 15.02.2019 with a liberty to renew his prayer after three months. Hence, he may be enlarged on bail.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, 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 Additional Sessions Judge-II, Madhubani in connection with Ladaniya P.S. Case No.237 of 2018.

(Prakash Chandra Jaiswal, J)

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