

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83043 of 2019

Arising Out of PS. Case No.-754 Year-2019 Thana- MASAUDHI District- Patna

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Satyendra Kumar @ Satyendra Prasad S/o Brijnandan Singh R/o Near Beur Jail, Makhdumpur, Police Station- Beur, District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Jiban Pd. Singh

For the Opposite Party/s : Mr. Shantanu Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 16-12-2019 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in connection with Masaurhi P.S. Case No. 754 of 2019 registered for the offence punishable under Section 30(a) of Bihar Prohibition & Excise Act-2018.

On the secret information about packing of illicit liquor by one Ram Pravesh Rai in huge quantity, when the informant along with police force arrived at the place of occurrence, said Ram Pravesh Rai and one another accused managed to escape while petitioner was apprehended and 150 lts. of country made liquor was recovered from the two motorcycles parked there.

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 with the seized liquor or with any activity of packing liquor or with the motorcycles 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 and real culprit managed to escape dumping the liquor laden motorcycles at the place of occurrence seeing the police party. There is violation of Section 100 Cr.P.C. Petitioner has no criminal antecedent and has been languishing in custody since 22.10.2019.

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

In the facts and circumstances of the case, 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 Masaurhi P.S. Case No. 754 of 2019.

(Prakash Chandra Jaiswal, J)

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