

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9122 of 2023

Arising Out of PS. Case No.-384 Year-2022 Thana- NARPATGANJ District- Araria

Arshdeep Singh @ Sardar Jee Son Of Paramjit Singh R/O Village- Sahadar
Gachh, Bara, P.S.- Fency Deva, Fansideva, Darjiling, W.B.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-04-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 272, 273, 420 of the Indian Penal Code and Section 30(a), 32(II)(III), 36, 41(I) of Bihar Prohibition & Excise Act.

It is a case of recovery of 112.500 litres of Indian Made Foreign Liquor from a car bearing Reg. No. WB-12B-7754 and 57.750 litres of Indian Made Foreign Liquor and a pouch of 180 ml of IMFL from a Scorpio vehicle bearing Reg. No. BR-07PA-9477. Several co-



accused persons including the driver of both the aforesaid vehicle were apprehended on spot. Apprehended co-accused persons disclosed the name of petitioner.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Neither the petitioner was apprehended on spot nor anything incriminating has been recovered from his conscious possession. The name of petitioner sprang up in this case on the confessional statement of apprehended co-accused persons, before the police, which has no evidentiary value in the eye of law. It is further submitted that petitioner has no concern either with the alleged recovery or with the apprehended co-accused persons. Moreover, the petitioner is languishing in judicial custody since 12.12.2022.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.



Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Narpatganj P.S. Case No. 384 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise I, Araria.

(Sunil Kumar Panwar, J)

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