

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17084 of 2023

Arising Out of PS. Case No.-481 Year-2022 Thana- FORBESGANJ District- Araria

Gaurav Kumar Singh Son Of Late Sitaram Singh Resident Of Village-
Jogbani Ps- Jogbani District- Araria

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rama Nand Poddar

For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-04-2023 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 30(a), 38(1) of the
Bihar Excise (Prevention of Atrocities) Act and Section
25(a)(1-a),(1-b),AB/26(i)(2) of Arms Act.

It is a case of recovery of 59 litres of Eskuf -DL
codine Syrup, 45.200 litres illicit syrup containing Dialex
DC syrup, 34 live cartridges, one blank magazine, two
swords and other incriminating articles from the house of
co-accused Md. Wasim. The name of petitioner sprang



up in this case on the confessional statement of co-accused Md. Wasim.

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 is named in F.I.R. nor anything incriminating has been recovered from the conscious possession of the petitioner. His name sprang up in this case on the confessional statement of co-accused Md. Wasim. Petitioner has no concern with the alleged recovery. Moreover, he is languishing in judicial custody since 30.07.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

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 Forbesganj (Simraha) P.S. Case No. 481 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 Special Jusge, Excise I, Araria.

(Sunil Kumar Panwar, J)

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