

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45638 of 2015

Arising Out of PS.Case No. -224 Year- 2015 Thana -JOGAPATTI District-
WESTCHAMPARAN(BETTIAH)

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UMESH PRASAD, SON OF NANDLAL PRASAD, RESIDENT OF
VILLAGE - DUMRI, P.S. - YOGAPATTI, DISTRICT - WEST
CHAMPARAN AT BETTIAH.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. U.S.P Singh (App)

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 15-10-2015 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Yogapatti P.S. Case No. 224 of 2015 registered under Sections
272 and 273/34 of the Indian Penal Code and Section 47A of the
Excise Act.

The accusation is that during raid at the shop, one Shiv
Sagar Prasad was found sitting and on search, 15 cartoons each
containing 48 bottles of 200 ml were recovered beneath the bead.
Shiv Sagar Prasad disclosed himself as younger brother of the
petitioner.

Learned counsel for the petitioner submits that, in fact,

petitioner used to reside out side for his livelihood and on his own earning, he purchased three kathas of land for construction of house, in which, his younger brother was claimed his share but petitioner refused due to that reason Shiv Sagar Prasad, brother of the petitioner, got implicated the petitioner in the present case and disclosing that the alleged house belonging to this petitioner. It is further submitted that petitioner has no criminal antecedent.

Considering the aforesaid submissions, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the J.M. Ist Calss, Bettiah, West Champaran, in connection with Yogapatti P.S. Case No. 224 of 2015, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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