

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12019 of 2015

Arising Out of PS.Case No. -315 Year- 2013 Thana -TEKARI District- GAYA

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1. Sanjay Singh S/o Nagina Singh R/o Village Belhariya, P.S. Tekari,
District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar -3

For the Opposite Party/s : Mr. Dr.M.K.Gautam(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 27-04-2015 Supplementary affidavit is filed on behalf of the

petitioner.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Tekari Police Station Case No. 315 of 2013 registered for the
offences punishable under Section 414 of the Indian Penal Code
and section 47(A)(F), 13 (F) of the Excise Act and section
2(5)(2),3,5,18 of Mahua Flowers Act.

According to prosecution case itself, the seized mahua
had been sold to the petitioner by one Shyam Sah, who has already
been granted privilege of anticipatory bail by a co-ordinate Bench
of this Court vide order dated 29.01.2015 passed in Cr. Misc. No.

3755 of 2015.

Admittedly, neither petitioner was caught at the spot nor anything was recovered from his conscious possession.

No doubt, earlier two cases of Excise Act were registered against him but taking note of the facts of the present case as well as this aspect of the matter that co-accused Shyam Sah had already been admitted to anticipatory bail, let petitioner, in the event of his arrest/surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gaya in Tekari Police Station Case No. 315 of 2013, subject to condition as laid down under Section 438(2) of the Cr.P.C.

Namita/-

(Hemant Kumar Srivastava, J)

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