

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19359 of 2015

Arising Out of PS.Case No. -36 Year- 2015 Thana -BANIAPUR District- SARAN

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1. Jai Ghanshayam S/o Rambeni Rai resident of Village- Chaupar Madan,
P.S Bochan, District-Muzaffarpur

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dewendra Narayan Singh

For the Opposite Party : Mr. Prem Kr.Jha(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-05-2015

Heard learned counsels for the petitioner

and the State.

Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 272, 273, 420 of the Indian Penal Code and Section 47(a) of the Excise Act.

4400 litres of spirit was recovered from a truck when four persons being Dhruv Singh, Santosh Singh, Rajeev Singh and driver of the truck were identified to have disappeared from the place of seizure. The raid was laid on the information that co-accused Santosh Singh and Rajeev Singh were getting the spirit unloaded from a truck. The petitioner is owner of the truck.

It is submitted by learned counsel for the petitioner that admittedly the petitioner was not apprehended from the place of seizure and petitioner is simply the owner of a

public vehicle.

A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Baniyapur P.S. Case No. 36 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bonds of the petitioner shall be accepted by learned Court below on filing affidavit by the petitioner to the effect that petitioner will cooperate in the investigation. Non-cooperation in the investigation will give liberty to the prosecution to file appropriate application for cancellation of bail of the petitioner.

(Dinesh Kumar Singh, J)

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