

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23618 of 2015

Arising Out of PS.Case No. -28 Year- 2015 Thana -PIYAR District- MUZAFFARPUR

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1. Rajeev Kumar S/o Sri Ashok Kumar Chaudhary R/O village-Sarfuddinpur, P.S.- Bochahan, District- Muzaffarpur. Former license of Group no.-42/14-15.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr. Smt. Indu Bala Pandey (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-07-2015 The petitioner is apprehending his arrest in connection with Pear PS case No. 28/2015 for the offence under section 409 of the Indian Penal Code.

Heard learned counsel for the petitioner and the State.

The prosecution story, in brief, is that the petitioner was licensee of three wine shops but due to non payment of his license was cancelled and directions was given to Circle-sub-Inspector, Excise for physical verification of above wine shops and submit report. But after expiry of financial year on 31.03.2015 when Circle-sub-Inspector reached at the PO for handing over the shop to landlord after receiving the rest liquors but he found the liquor disappeared by breaking the seal and on enquiry, it came to light that the same were disappeared by petitioner.

It is submitted on behalf of the petitioner that petitioner has been made accused in the case with the mistake of fact. It is further submitted that petitioner has got no criminal antecedent. Further submission on behalf of the petitioner is that he is ready to deposit a sum of Rs. 25000/- in the court below which shall be subject to final disposal of the case.

On behalf of the State, it has been submitted that petitioner is named in the FIR.

Considering the aforesaid facts, the petitioner is directed to deposit a sum of Rs. 25000/- in the court below which shall be subject to final disposal of the case. With the said condition, let the above named petitioner, in the event of their arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Muzaffarpur in connection with Pear PS case No. 28/15, subject to condition as laid down under section 438(2) of the Cr. P.C.

(Sudhir Singh, J)

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