

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31146 of 2014

Arising Out of PS.Case No. -39 Year- 2014 Thana -GOVERNMENT OFFICIAL COMP. District-
PURNIA

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Ravindra Pd. Sah @ Ravindra Kumar Sah, Son of Late Bilat Sah, Resident
of Mohallah- Khuskibagh, P.S.- Sadar, District - Purnea (Bihar).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Adv.

For the Opposite Party/s : Mr. Vinod Shankar Modi, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 29-01-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner, apprehending his arrest in connection
with Case No. C-I-39 of 2014 registered for the offences
punishable under Rule 2(e), 3 of the Bihar Excise (Mahua
Flowers) Rules, 2006 and under Sections 13(a) and 47(F) of the
Bihar Excise Act, seeks the privilege of pre-arrest bail.

Allegedly, 14,200 Kgs. Mahua Flower kept in 355 bags
were recovered from western portion of the house of the accused
and the accused was arrested.

It is submitted that from plain reading of seizure list, it
appears that Gaurav Kumar Jaiswal was arrested and from his

house, the recovery has been shown but in accused column the name of the petitioner has been added subsequently. It is not a case that the raid was conducted at two places and how the petitioner is connected with Gaurav Kumar Jaiswal, who was arrested at the spot, is not known and as such, the petitioner deserves sympathetic consideration, to which the learned A.P.P. does not oppose.

In the facts and circumstances as stated above, considering that the accused was arrested at the spot and there is nothing mentioned as to how the name of the petitioner has been added in the seizure list and as such, the petitioner, in case of his arrest or surrender within two months from the date of receipt/production of the copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Sandeep Singh, learned Judicial Magistrate Ist Class, Purnea or its successor court in connection with Case No. C-I-39 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Jitendra Mohan Sharma, J.)

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