

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38483 of 2015

Arising Out of PS.Case No. -105 Year- 2014 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

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Hazari Prasad @ Hazari Singh, Son of Late Shivbachan Singh
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeshwar Singh, Advocate
For the Opposite Party/s : Mr. C.Sen Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 29-09-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 420, 467, 468, 471, 414, 272, 273, 279, 353, 337 and 120B of the Indian Penal Code and section 47a of the Excise Act.

One truck loaded with spirit was intercepted on 20.03.2014 when four persons, namely, Tauhid Alam, Sadin, Jawed Ansari and Subodh Kumar were apprehended. Subsequently, one of the apprehended co-accused, Subodh Kumar, named the petitioner and others with whose assistance the spirit from Haryana, Punjab and Uttar Pradesh are being transported on the basis of forged document for manufacturing of illicit country made liquor. It is further submitted that admittedly the recovery

was not made from the petitioner and subsequently the seized spirit was claimed to be purchased from A. B. Grain Spirit Pvt. Ltd., Ambala by one M/s Arunachal Thinner and Paint Industries, Itanagar, District-Papunparo, Arunachal Pradesh and for the said purchase the Excise Department of Arunachal Pradesh also issued challan.

Considering the facts that petitioner was not travelling in the truck from which the alleged spirit was seized and his name transpired on the basis of confession of co-accused, let him be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, West Champaran at Bettiah in connection with Muffasil P.S. Case No.105 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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