

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48893 of 2014

Arising Out of PS.Case No. -41 Year- 2014 Thana -JALE District- DARBHANGA
=====

1. Sanjit Kumar Nayak @ Sanjit Kumar Yadav S/o Surendra Prasad Yadav
Resident of Village - Rampur Pachasi, P.S. - Pupuri Dist : - Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Ashok Kr.Singh (App)
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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 30-04-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends his arrest in connection with
Jalley P.S. Case No. 41 of 2014 registered for the offences
punishable under Section 47a of the Excise Act.

Allegedly, a tempo loaded with bags of country
made liquor was seized and the driver was arrested who disclosed
the name of the petitioner as owner of the seized country made
liquor.

Submission is of false implication and that the
petitioner is a licensee dealer of country made liquor, seized
country made liquor was not recovered from the possession of the
petitioner and he has been implicated falsely. The alleged material

was seized on 17.04.2014 at about 5:40 pm whereas the FIR has been lodged on 18.04.2014 at 11:55 pm and as such the petitioner deserves sympathetic consideration to which the learned APP opposes.

In the facts and circumstances stated above and considering that name of the petitioner has been taken by co-accused, the petitioner above named, in case of his surrender or arrest within two months from the date of receipt/production of a 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 the learned Chief Judicial Magistrate, Darbhanga in connection with Jalley P.S. Case No. 41 of 2014, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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