

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48360 of 2015

Arising Out of PS.Case No. -37 Year- 2015 Thana -KHIRHAR District- MADHUBANI

Rajiv Kumar Thakur Son of Sri Arun Kumar Thakur, Resident of Village -
Borhar, P.S. - Khirhar, District - Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Nilesh Kumar

For the Opposite Party/s : Mr. Abhay Kumar No. 1 (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 17-12-2015

Heard both sides.

The petitioner apprehends his arrest in a case under
Sections 272, 273 of the Indian Penal Code and Section 47(A) of
the Excise Act.

One motorcycle was seized. The petitioner is said to
have fled away from the scene. On search of the motorcycle,
country-made liquor was recovered. It is submitted that the
petitioner was not apprehended on the spot nor anything was
recovered from the conscious possession of the petitioner. The
petitioner is not the owner of the vehicle. Even during the course
of investigation, none of the witnesses have stated that they
identified the person while fleeing away after leaving the
motorcycle.

Considering the facts aforesaid and the fact that the

petitioner is not the owner of the vehicle, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Benipatti at Madhubani in Khirhar P.S. Case No. 37/15, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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