

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56338 of 2015

Arising Out of PS.Case No. -519 Year- 2015 Thana -RUNISAIDPUR District- SITAMARHI

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JAI RAM KUMAR S/O RAM AYODHYA CHAUDHARY RESIDENT
OF VILLAGE - OLIPUR, P.S. - RUNNISAIDPUR, DISTRICT -
SITAMARHI.

.... .. PETITIONER/S

VERSUS

THE STATE OF BIHAR.

.... .. OPPOSITE PARTY/S

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Appearance :

For the Petitioner/s : Mr. Mahendra Thakur

For the Opposite Party/s : Mr. Dashrath Mehta (APP)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 21-12-2015 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with

Runnisaidpur P.S. Case No. 519 of 2015 registered under Sections

272, 273 and 308 of the Indian Penal Code and Section 47(a) of

the Excise of Act.

The prosecution is that on 26.09.2015, the police in

course of patrolling duty received information that a Tata-407

loaded with illegal spirit is moving towards Koahi under the

direction of one motorcycle rider. The police went there then

driver and owner of Tata-407 and motorcycle rider left the vehicle

and fled away. On search, 12 drums each containing 200 litres

sprite recovered from the Tata-407 being registration no. BR06G-

7614 and motorcycle bearing registration no. BR 06 AP -0557 was also recovered.

Mr. Mahendra Thakur, learned counsel for the petitioner submits that it would appear from the F.I.R. that the owner of the motorcycle and the driver and owner of Tata- 407 have been made accused. In course of investigation the name of the petitioner has come as the owner of the seized motorcycle. It is further submitted that, in fact, the motorcycle of the petitioner was taken by his friend Upendra Kumar, Sah, son of Ramdeo Sah, who is co-villager of the petitioner which is said to be seized by the police. The petitioner has no criminal antecedent and is in custody since 09.10.2015.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sitamarhi, in connection with Runnisaidpur P.S. Case No. 519 of 2015. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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