

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29967 of 2014

Arising Out of PS.Case No. -13 Year- 2012 Thana -GOVERNMENT OFFICIAL COMP. District-
SASARAM (ROHTAS)

Binod Gond, Son of Lakhan Gond, Resident of Village - Kadirganj, P.S. -
Darigaon, District - Rohtas

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Kamla Kant Pandey, Adv.

For the Opposite Party/s : Mr. Ram Chandra Singh, A.P.P.

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

ORAL ORDER

2 19-01-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner, apprehending his arrest in connection
with Darigaon Excise Case No. 13 of 2012 registered for the
offences punishable under Section 47A of the Excise Act, seeks
the privilege of pre-arrest bail.

Allegedly, acting on a tip off, raid was conducted but the
accused person fled away after leaving the motorcycle and on
search 150 litres country-made Mahua liquor was recovered.

Submission is that the motorcycle is not of the
petitioner. From prosecution report, it is apparent that name of the
owner of motorcycle has not been ascertained as yet but due to

enmity and at the instance of the enemy of the petitioner, his name has been shown as an accused, and as such, the petitioner deserves sympathetic consideration, to which the learned A.P.P. opposes.

In the facts and circumstances as stated above, as the petitioner is not claiming that motorcycle from where country-made liquor was recovered 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 the learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Darigaon Excise Case No. 13 of 2012, subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Jitendra Mohan Sharma, J.)

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