

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20437 of 2015

Arising out of PS.Case No. -42 Year- 2015 Thana -AKBARPUR District- NAWADA

Bambam Singh, son of Bhola Singh, resident of Village- Dihi, P.S. Akbarpur, District- Nawadah.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Mukesh Kumar Jha, Advocate.

For the Opposite Party : Mr. Awadhesh Kr.Singh(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-09-2015 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Akbarpur P.S. Case No. 42 of 2015 for the offences instituted under Section 47(a) of the Excise Act.

The prosecution story, in brief, is that on the basis of information received by the informant from S.D.P.O., Rajauli the informant alongwith other police force arrived Fatehpur Mor and saw that S.D.P.O., Rajauli and Police Inspector, Rajauli have already arrived there and thereafter started raid and saw in a room situated near western direction at N.H. 31 that several bottles of English wine were kept in a cartoon which were seized and accordingly a seizure list was prepared.

It has been submitted on behalf of the petitioner that the

petitioner has got no criminal antecedent. It is further submitted that the petitioner has falsely been implicated in the present case due to mistake of fact. It is further submitted that the place of recovery also do not belong to the petitioner. It is further submitted that the petitioner is ready to deposit an amount of Rs. 15,000/- in the court below which shall be subject to final disposal of the case.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances it is directed that the petitioner shall deposit an amount of Rs. 15,000/- in the court below which shall be subject to final disposal of the case and on doing so, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of four weeks from today in connection with Akbarpur P.S. Case No. 42 of 2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Nawadah, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)