

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53546 of 2015

Arising Out of PS.Case No. -89 Year- 2015 Thana -JADIA District- SUPAUL

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1. Kumod Paswan Son of Shri Parmeshwar Paswan, Resident of Villge-Baghaili (Ward No. 7), P.S. - Jadiya, District - Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. T.P.Mandal(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-11-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under section 272 of the Indian Penal Code and section 47(a) of Excise Act.

It is alleged that from the house of the petitioner country made as well as foreign liquor were recovered.

It is submitted by the learned counsel for the petitioner that for the seizure made on 27.8.2015 the FIR was registered on 28.8.2015 at 2 P.M. though the FIR reached to the court of the learned CJM on 31.8.2015 which suggests that by antedating the FIR has been registered. More over, recovery was made from the joint family house. Statement has been made in

paragraph 3 of the petition that the petitioner has no criminal antecedent.

The delayed transmission of FIR to the court of the learned CJM constitutes ground for consideration of the prayer for regular bail of the petitioner by the learned court below in case the petitioner surrenders within six weeks from today in connection with Jadia P.S. Case No. 89 of 2015 pending in the court of learned JM, Supaul.

This application is disposed of with the aforesaid observation/direction.

(Dinesh Kumar Singh, J)

Anil/-

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