

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41012 of 2015

Arising Out of PS.Case No. -105 Year- 2014 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

Ramashanker Prasad s/o Late Bishwanath Prasad resident of village-
Yadipur, P.S.- Harsidhi, Distt- East Champaran, Motihari.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pandey

For the Opposite Party/s : Mr. Rita Verma (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 06-10-2015

Heard learned counsels for the petitioner
and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 420,
467, 468, 471, 414, 272, 273, 279, 353, 337 and 120B of the
Indian Penal Code and section 47(a) of the Excise Act.

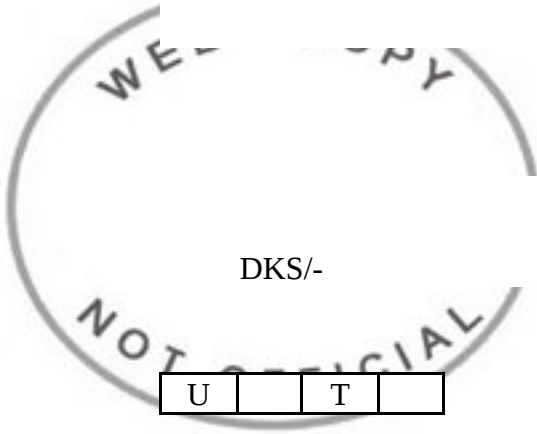
One truck loaded with spirit was
intercepted on 20.03.2014 when four persons, namely, Tauhid
Alam, Sadin, Jawed Ansari and Subodh Kumar were
apprehended. Subsequently, one of the apprehended co-accused,

Subodh Kumar, named the petitioner and others with whose assistance the spirit from Haryana, Punjab and Uttar Pradesh are being transported on the basis of forged documents for manufacturing of illicit country made liquor.

It is submitted by learned counsel for the petitioner that admittedly the recovery was not made from the petitioner and subsequently the seized spirit was claimed to be purchased from A.B. Grain Spirit Pvt. Ltd., Ambala by one M/s Arunachal Thinner and Paint Industries, Itanagar, District-Papunparo, Arunachal Pradesh and for the said purchase the Excise Department of Arunachal Pradesh also issued challans.

Considering the fact that petitioner was not travelling in the truck from which the alleged spirit was seized, his name sprang up on the basis of confession of co-accused and a statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah Muffasil

P.S. Case No. 105 of 2014, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.



(Dinesh Kumar Singh, J)

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