

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10764 of 2016

Arising Out of PS.Case No. -374 Year- 2015 Thana -AURANGABAD TOWN District-
AURANGABAD

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Jaswendra Prasad son of Rajballabh Yadav,

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2, Advocate

For the Opposite Party/s : Mr. Kanhaiya Kishore(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-03-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Rules 2(e)/3(8)/15/18 of the Bihar Excise (Mahua Flowers) Rules, 2006.

From a truck 100 bags containing 45 k.g. in each bag "Mahua Flowers" were recovered when the driver and cleaner were apprehended, who disclosed their names as Ravindra Sharma and Munna Kumar. The petitioner was found to be owner of the vehicle.

It is submitted by learned counsel for the petitioner that admittedly the petitioner was not present at the place of seizure. Petitioner has been roped in this case simply because he being owner of the public carrier. Petitioner has no knowledge about the alleged 'Mahua Flowers' were being carried by the driver and the

cleaner. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Aurangabad in connection with Aurangabad (Town) P.S. Case No.374/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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