

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11272 of 2016

Arising Out of PS.Case No. -467 Year- 2015 Thana -ARARIA District- ARARIA

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Ajmal Son of Tohid Resident of village - Sanjhaily, Police Station - Araria
R.S. District - Araria

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Anamul Haque, Advocate

For the Opposite Party : Mr. Khurshid Anwar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-05-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection with Araria (R.S.) O.P. P.S. Case No.467 of 2015 for the offences instituted under Sections 272, 273 of the Indian Penal Code and Section 47(A) of Excise Act.

The prosecution case, in brief, is that the informant S.I. Prabhakar Bharti S.H.O., Araria R.S. (O.P.) has instituted on self statement against the petitioner and one Ashok Chaudhary. It is alleged that during course of evening patrolling the informant along with other police personnel were coming towards Rajokhar Chowk. They found two persons riding on a motorcycle keeping a jute bag in between the two boys on the said motorcycle. In the meantime, the driver of the motorcycle fled away from there. One

of the persons was apprehended by the police who disclosed his name as Ashok Chaudhary. The apprehended person also disclosed that out of 96 bottles half of its number belongs to the petitioner Ajmal and half is mine.

It is submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no recovery of any incriminating article from the possession of the petitioner. The motorcycle of the petitioner was found at the P.O. except that there is no other incriminating material against the petitioner.

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

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Araria, in connection with Araria (R.S.) O.P. P.S. Case No.467 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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