

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16605 of 2016

Arising Out of PS.Case No. -16 Year- 2016 Thana -MAGADH MEDICAL COLLEGE District-
GAYA

=====

Kanchan Chatterjee, son of Ratan Kumar Chatterjee

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ramashish, Advocate

For the Opposite Party/s : Mr. Durgesh Nandan(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-04-2016

Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a case
registered for the offences punishable under Sections 414, 420,
120B, 201/34 of the Indian Penal Code and 47a of the Excise
Act.

Prosecution case is that the informant received secret
information that co-accused Binod Singh, contractor of Gaya
International Air Port, is in connivance with other accused
persons namely Nand Kumar Verma and Ganga Dayal Prasad
indulged in nefarious activity. On getting information from
Chandan Kumar, the house of co-accused Vinod Singh was
raided from where foreign liquor was recovered whereas from
the house of the petitioner Rs.43000/- and 20 American dollar

were recovered.

It is submitted by learned counsel for the petitioner that even assuming the accusation no offence under section 47a of the Excise Act is made out. So far as accusation under section 414 IPC is concerned, as the recovered articles from the possession of the petitioner were not claimed by any one to have been stolen, hence, it is not made out. For the occurrence of 31.01.2016, the FIR was registered on 02.02.2016.

The aforesaid facts constitute ground for consideration of prayer for regular bail.

Let the learned Court below consider the prayer for regular bail of the petitioner, preferably on the same day, if the petitioner surrenders within a period of six weeks in connection with Magadh Medical College P.S. Case No.16/2016, pending before the learned ACJM, IV, Gaya.

With the above observation, this application is, accordingly, disposed off.

(Dinesh Kumar Singh, J)

Ashwini/-

U		T	
---	--	---	--