

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17587 of 2016

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

1. Binod Singh @ Binod Kumar Singh Son of Rana Pratap Singh Resident
of Dumuhan Mor, Police Station - Bodh Gaya, Distt - Gaya.

..... Petitioner/s
Versus

1. The State of Bihar.

..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sangita Sharma(App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 03-05-2016 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

The petitioner apprehends his arrest in connection with
Magadh Medical P. S. Case No. 16 of 2016 registered for offence
punishable under Sections 414, 420, 120 (B), 201/34 of the Indian
Penal Code.

The prosecution case is that the informant, a police
officer received secret information about some smuggling at Gaya
International Airport on the basis of CCTV footage and found
Binod Singh @ Binod Kumar Singh was coming with four
luggage from the airport in an Inova vehicle from the airport.
Upon this information, the informant raided the house of the

accused Binod Singh seized 10 bottles of foreign liquor and some packets of foreign cigarettes.

It has been submitted by the learned counsel for the petitioner that the petitioner is a Contractor for entry ticket with valid license for Airport entry and is not connected with the commission of the said offence, as the allegation is upon the Superintendent of Customs and it is his duty to scan the luggage and the petitioner only on the basis of clearance, gets the luggage pass to and from the airport. He submits that foreign liquor and cigarettes found at his house were gifted by the foreign tourists and being first offender be granted privilege of anticipatory bail. He further submits that nothing incriminating has been found to be from possession of the petitioner and Sections 414 and 420 are not applicable and the Airport Customs Superintendent was responsible for transit of articles. He further submits that due to business rivalry, the petitioner has been falsely implicated and the petitioner is no concern with the Inova vehicle, which was found, abandoned.

However, learned A.P.P. for the State submits that the petitioner is named in the F.I.R., hence opposes the prayer for bail.

Be that as it may, let the above named petitioner in the event of his arrest or surrender before the Court below within a

period of eight weeks from today be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IV, Gaya in connection with Magadh Medical College P. S. Case No. 16 of 2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Nilu Agrawal, J)

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