

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21104 of 2016

Arising Out of PS.Case No. -45 Year- 2016 Thana -KHIJARSARAI District- GAYA

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1. Karu Singh @ Dhananjay Singh Son of Wakil Singh @ Golak Singh,
resident of village- Devgaon, P.S.- Khizarsarai, District- Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate

For the Opposite Party/s : Mr. Arun Kr. Pandey (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 05-07-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Khizarsarai P.S. Case No. 45 of 2016 registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and Section 47(A) of the Excise Act.

Learned counsel for the petitioner submits that the recovery of 80 liters Mahua Liquor was not made from the conscious possession of the petitioner, rather the alleged recovery was made from lonely place and the seizure list also does not carry the signature of any independent witness. It is further submitted that the alleged recovery is said to have been made from the river side which is far away from the petitioner's

village.

Considering the aforementioned facts and circumstances of the case and that the petitioner has only one other criminal antecedent in which also the petitioner had faced prosecution about ten years back, let the petitioner, above named, in the event of his arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the each amount to the satisfaction of the learned Chief Judicial Magistrate, Gaya, in connection with Khizarsarai P.S. Case No. 45 of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

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(Anjana Mishra, J)

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