

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16020 of 2016

Arising Out of PS.Case No. -34 Year- 2015 Thana -GOVERNMENT OFFICIAL COMP. District-
VAISHALI(HAJIPUR)

=====

Rajeshwar Kumar Singh @ Raju Singh @ Rajeshwar Kumar, Son of
Dinesh Prasad Singh, Resident of Village - Baligaon, P.S. - Baligaon,
District - Vaishali

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arun Kumar,
Md. Hussamuddin Azad, Advocates
For the State : Mr. Gulnar Begum(App)

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 23-05-2016 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner apprehends his arrest in a case filed
under Section 47(a) of the Bihar Excise Act.

It is contended that, after search of a hut, a tank
lorry ladden with sprit was found from which the accused persons
were taking out sprit illegally. It is alleged in the prosecution
report of the department that accused nos.1 to 5, accused no.5
being the petitioner, fled away after seeing the raiding party. It is
contended that in the first information report, the petitioner has not
been made accused but surprisingly in the prosecution report of

the department, the petitioner has also been shown to be an accused. It is urged that the petitioner has been implicated in this case only for the reason that in complaint case no.1877/15 filed by the co-accused, Kapileshwar Rai, the petitioner's name has been shown as a witness. It is further contended that petitioner's antecedent is clean.

Having regards to the facts and circumstances of the case, in the event of arrest/surrender within a period of six weeks from today in C2A 34/2015, Tr. No.768/2015, the above named petitioner, Rajeshwar Kumar Singh @ Raju Singh @ Rajeshwar Kumar shall be released on bail on furnishing bail bond of Rs.10,000(Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Vaishali at Hajipur subject to the conditions as laid down under sub-section(2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

Sanjay-II/-

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