

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27419 of 2016

Arising Out of PS.Case No. -304 Year- 2015 Thana -MASRAKH District- SARAN

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Bharat Singh Son of Daroga Singh@Bishwanath Singh Resident of
Village- Masrakh, Gopal Bari, Police Station - Masrakh, District Saran at
Chapra.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Parijat Saurav, Advocate

For the Opposite Party : Mr. Sri Shantanu Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-07-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Masrakh P.S. Case No. 304 of 2015 for the offences
instituted under Sections 272 and 273 of the Indian Penal Code
and Section 47-A of the Excise Act.

The prosecution case is that on 13.10.2015 at 5.00 P.M.,
while the informant along with police party was on patrol duty, he
received secret information that in village-Gopal Bari, the accused
Bharat Singh has stored illegal spirit in his agricultural fields of
sugarcane. The informant reached at 7.00 P.M. and saw that two
persons were hiding something besides the sugarcane fields. On
seeing the police, the two persons managed to flee away.

It has been submitted on behalf of the petitioner that the

petitioner has got no criminal antecedent. He has been made accused due to mistake of fact. Petitioner is aged about 70 years. Considering his age, the allegation that the petitioner fled away from the place of occurrence cannot be accepted. It is further submitted that the petitioner is ready to deposit an amount of Rs.20,000/- in the court below which shall be subject to the final disposal of the case.

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

Considering the aforesaid facts and circumstances, it is directed that the petitioner shall deposit an amount of Rs.20,000/- in the court below which shall be subject to the final disposal of the case and on doing so, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with **Masrakh P.S. Case No. 304 of 2015** on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned **Judicial Magistrate, Saran at Chapra**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

B.Kr./-

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