

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35142 of 2016

Arising Out of PS.Case No. -282 Year- 2016 Thana -SHERGHATI District- GAYA

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Gaurav Kumar Son of Birendra Singh Resident of Mohalla Nai Bazar
Sarghati, P.S. Sherghati, District Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Sharma, Advocate
For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 20-08-2016 Heard learned counsel for the petitioner and

learned counsel for the State.

The petitioner seeks bail in connection with
Sherghati P. S. Case No. 282 of 2016 registered under Sections
272 and 273 of the Indian Penal Code and 47(a) of the Bihar
Excise (Amendment) Act, 2016.

It is contended by the learned counsel for the
petitioner that the petitioner has been a victim of false
implication. The alleged recovery of 45 litres of alcohol has not
been made from the conscious possession of the petitioner. It is
also submitted that two seizure list witnesses have sworn
affidavit that no recovery was made from the possession of the

petitioner and their respective signatures were obtained on a blank-sheet of paper.

Learned counsel for the State has opposed the application for grant of bail of the petitioner. He has submitted that the recovery is from the motorcycle belonging to the petitioner.

Be that as it may, regard being had to the fact that the petitioner has got no criminal antecedent, he is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Sherghati, District- Gaya in Sherghati P. S. Case No. 282 of 2016.

(Ashwani Kumar Singh, J.)

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