

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41836 of 2016

Arising Out of PS.Case No. -377 Year- 2016 Thana -FORBESGANJ District- ARRARIA

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1. Sujan Saha son of Shyam Saha Resident of Village Champasari More,
PS. Pradhan Nagar, District-Darjeeling (West Bengal).... .. Petitioner
Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amrendra Kr @ Dr. Amrendra Kr

For the Opposite Party/s : Mr. Sri Jitendra Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 06-10-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with
Forbisganj P.S. Case No. 377 of 2016 registered for the offences
punishable under Sections 272, 273 of the Indian Penal Code and
Section 47 of Bihar Excise (Amendment) Act.

Allegedly, in the garage of Tapas Kumar Mitra @
Chhotu Mistri one Bolero and one Indica car were found and the
petitioner standing there was apprehended. From the Indica Car
and Bolero vehicle several bottles of Royal Stag foreign liquor
were recovered.

Submission is of false implication and that the
petitioner has gone there to demand money from Tapas Mitra @
Chhotu Mistri who has purchased one Hyundai Santro car from
the father-in-law of the petitioner which is apparent from an

affidavit sworn by both parties on 22.3.2016, in this case Gopal Jaiswal and Tapas Kumar Mitra who were sitting in the vehicles have already been allowed bail and as such the petitioner also deserves sympathetic consideration as the case of the petitioner is of better footing to which the learned A.P.P. does not dispute.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount to the satisfaction of the Learned Chief Judicial Magistrate, Araria in connection with Forbisganj P.S. Case No. 377 of 2016, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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