

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50005 of 2016

Arising Out of PS. Case No. -123 Year- 2016 Thana -GAMAHARIYA District- MADHEPURA

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Rajesh Kumar Son of Jai Krishna Prasad Yadav @ Jai Krishna Yadav,
Resident of Shreepur Madhepura, District- Madhepura.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Shashi Dhar Jha, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 13-12-2016 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner is in custody since 22.09.2016 in connection with Gamharia P.S. Case No. 123 of 2016 for the alleged offences under Sections 47(A)(g) of the Bihar Excise Act.

3. It is submitted that the petitioner has been falsely implicated merely because he happens to be the driver of the vehicle from which the offending goods were recovered. It is submitted that the petitioner did not have any knowledge of the goods as he was driving the vehicle on the instruction of the owner Ganesh Yadav, who has not been made accused in the case.

4. Having regard to the entirety of the facts and circumstances of the case and the period of custody, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Madhepura in connection with Gamharia P.S. Case No. 123 of 2016 on the following conditions -

(i) That one of the bailors shall be a close relative of the petitioner.



(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

B.T/Chandran

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