

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27342 of 2016

Arising Out of PS.Case No. -50 Year- 2016 Thana -JHANJHARPUR District- MADHUBANI

Rajesh Nayak Son of Bhola Prasad Nayak resident of Village - Jamaila Bazar, P.S. Andharathdhi, District Madhubani.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-07-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 47A/55 of the Bihar Excise Act.

Prosecution case, in brief, is that police personnel while patrolling at night found a tractor and trailer without number loaded with wine pouches and bottles. A case in this regard has been lodged and petitioner being owner of the tractor and trailer has been made accused in the case.

It is submitted on behalf of the petitioner that he has falsely been implicated in the present case. He has been made accused only for the reason that he is the owner of the tractor. Petitioner had no knowledge regarding the alleged wine being transported on his tractor, as the said tractor was run by the driver of the petitioner. It is further submitted that petitioner is ready to deposit an amount of Rs.30,000/- in the court below which shall be subject to the final disposal of the case.

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

Considering the aforesaid facts and circumstances, it is

directed that petitioner shall deposit an amount of Rs.30,000/- in the court below which shall be subject to the final disposal of the case.

Let the above named petitioner, in the event of his/her arrest or surrender in the court below within a period of six weeks, 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 learned Addl. Chief Judicial Magistrate, Jhanjharpur, Madhubani, in connection with Jhanjharpur P.S. Case no. 50 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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