

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33262 of 2016

Arising Out of PS.Case No. -13 Year- 2016 Thana -BIHTA District- PATNA

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Jitendra Singh Son of Sri Dharichhan Singh resident of Mohalla- 12-TD
hatraji Road, Kamarhati, Belchria, P.S. Balcharia, District 24 Pargana,
Kolkata

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Mr. Sri Mukteshwar Dayal

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

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

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Bihta P.S. Case No. 13 of 2016 registered under Section
414/120B of the Indian Penal Code and 47/48 of the Excise Act as
well as 2/3/4 of Mahua Flower Control Act.

The accusation is that the Police on receiving secret
information about unloading the Mahua flower from the truck
bearing no. WB23B5214 to another Pick up Van bearing No. AB
1AD 0716, reached there and found the bags of Mahua flower are
being unloaded from the truck and the same was being loaded in
the pick-up van. On search, 105 bags of Mahua flower, containing
4 quintal 40 kg., were seized.

Learned counsel appearing on behalf of the petitioner submits that petitioner is the owner of the truck bearing Registration No. WB23B5214 and mere on suspicion, he has been implicated in this case. The said truck was being hired for carrying the goods and the petitioner has no knowledge about loading of the bags containing Mahula flower.

Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Danapur in connection with Bihta P.S. Case No. 13 of 2016 subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Rajendra Kumar Mishra, J)

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