

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41399 of 2016

Arising Out of PS.Case No. -233 Year- 2016 Thana -TAJPUR District- SAMASTIPUR

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Raj Kumar @ Raj Kumar Sah, son of Dhannuk Sah, Resident of Village-
Bherokhra, P.S.-Tajpur, District-Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Vinay Ranjan, Advocate.

For the Opposite Party : Ms. Renuka Ratnakar, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 19-11-2016 Heard both sides.

The petitioner apprehends his arrest in Tajpur P.S. Case No. 233 of 2016 registered for the offences punishable under Sections 272 and 273 of the Indian Penal Code and under Section 47(A) of the Excise Act read with Sections 54/57 New Bihar Excise (Amendment) Act, 2016.

The FIR was lodged on the self statement of SHO of Tajpur Police Station who intercepted the vehicle and apprehended the driver. The driver of the vehicle was carrying whisky of different brands. The driver disclosed that the petitioner had asked him to bring wine from Jharkhand.

Learned counsel for the petitioner submits that nothing has been recovered from possession of the petitioner. The driver

has malafidely disclosed the name of the petitioner. The petitioner has no manner of concern with the recovered wine.

Considering the facts aforesaid, the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Samastipur in Tajpur P.S. Case No. 233 of 2016, Subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J.)

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