

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43563 of 2016

Arising Out of PS.Case No. -204 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-
VAISHALI(HAJIPUR)

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Santosh Kumar @ Santosh Singh Son of Gajendra Singh@Rajendra Singh
Village- Khilwat, P.S. - Bidupur, District Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

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

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

ORAL ORDER

2 05-10-2016 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with C-2/204/2016 registered under Sections 47(a) and 54 of the
Bihar Excise Act.

The accusation is of recovery of 194 litre of I.M.F.
liquor from the hut of one co-accused Manoj Jha.

Learned counsel appearing on behalf of the
petitioner submits that the seized foreign liquor is not recovered
from the possession of the petitioner, rather it is recovered from
one co-accused Manoj Jha, but the name of the petitioner and one
Pramod Rai have been detailed in the accused column without any
allegation. Further submission is that, in fact, at the time of search

and seizure, the petitioner, who is developer, has refused to put his signature as witness, due to that reason, he has falsely been implicated in this case.

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 C.J.M., Vaishali in connection with Case No. C2-204 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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