

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45769 of 2016

Arising Out of PS.Case No. -282 Year- 2014 Thana -CHIRAIYA District-
EASTCHAMPARAN(MOTIHARI)

Uma Nath Sah, Son of Nanhku Sah, Resident of Village- Ahirouliya P.S.-
Chiraiya, District- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Umesh Tiwari, Advocate.

For the Opposite Party : Mr. Ashok Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 25-11-2016

Heard both sides.

The petitioner apprehends his arrest in Chiraiya P.S.
Case No. 282 of 2014 registered for the offences punishable under
Section 47(A) of the Excise Act.

The police intercepted a vehicle and apprehended two
accused persons they disclosed their names as Birendra Rai and
Guddu Pd. Yadav. From the vehicle 125 pouches of country made
liquor were also recovered. The petitioner is not named in the FIR.
During course of investigation, it has come that the petitioner is
the owner of the vehicle but from perusal of the FIR, itself, it
appears that when the vehicle was intercepted only two persons
were found inside the vehicle but the informant did not disclose
that the driver fled away from the vehicle.

Learned counsel for the petitioner submits that the driver of the vehicle was illegally carrying liquor without consent of the petitioner.

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 Additional Chief Judicial Magistrate, Sikrahana at Dhaka, East Champaran in Chiraiya P.S. Case No. 282 of 2014, 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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