

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51703 of 2016

Arising Out of PS.Case No. -230 Year- 2016 Thana -ALOULI District- KHAGARIA

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1. Tarni Yadav, Son of Hari Yadav, Resident of Village- Parasi, Police Station- Bithan, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. Chaubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-12-2016 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application for anticipatory bail is for the offence under Section 201 of the Indian Penal Code and Sections 47, 54 and 57 of the Bihar Excise Amendment Act, 2016.

The allegation against the petitioner is that the petitioner had concealed the foreign liquor at some other place and after recovery of the same by the police, one co-accused was arrested and on his confessional statement, name of the petitioner transpired. Learned counsel for the petitioner submits that there is no recovery from the conscious possession of the petitioner

It has been submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case.



Heard learned APP appearing for the State who could not controvert this fact.

Having heard both sides and considering the facts and circumstances of the case, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Alouli P.S. Case No. 230 of 2016, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and further that the petitioners will cooperate with the investigation of the case.

(Vinod Kumar Sinha, J)

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