

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50710 of 2016

Arising Out of PS.Case No. -309 Year- 2016 Thana -BARACHATTI District- GAYA

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Santosh Sao Son of Pitamber Sao resident of village - Amaithi, Police
Station Sanjhauli, District Rohtas

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-11-2016 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 272 and 273 of the Indian Penal Code and Sections 47(a), 48 (2) and 63 of the Bihar Excise Amendment Act.

Allegation against petitioner is that from his possession 600 litres of country made liquor was recovered.

It is submitted on behalf of the petitioner that petitioner has got no criminal antecedent. Petitioner has been implicated in the present case only for the reason that the vehicle in question, on which country made liquor to the tune of 600 litres was recovered, is registered in his name. The brother of the petitioner had taken the said vehicle for his personal use and he was arrested along with the said 600 litres of country made liquor. Petitioner has no concern with the recovery of the said country made liquor. There is no compliance of Section 100 of the Code of Criminal Procedure.

On behalf of the State, it is submitted that petitioner is named in the F.I.R.



Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his/her arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Assistant Chief Judicial Magistrate, Sherghatti (Gaya), in connection with Barachatti P.S. Case no. 309 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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