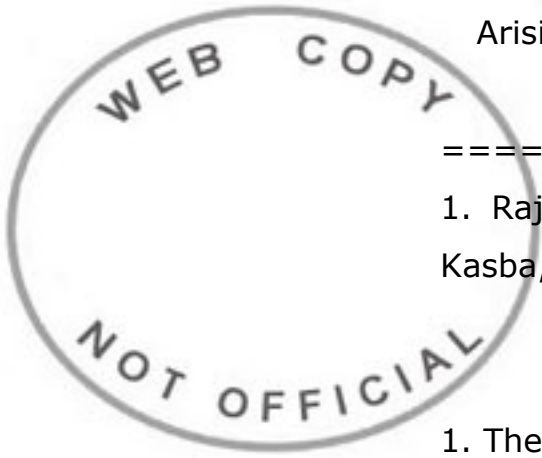




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24075 of 2016

Arising Out of PS.Case No. -67 Year- 2016 Thana -BALIA
District- BEGUSARAI

=====

1. Raj Kumar Gupta @ Raja, S/o Vijay Sah, R/o village-
Kasba, P.S.- Balia District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. N.N.Tiwary (App)

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH

ORAL ORDER

4 15-07-2016 The certified copy of the First Information
Report on behalf of the petitioner has been filed in course
of the day, by way of supplementary affidavit. Let it be
kept on record.

Heard the parties.

This application, for grant of anticipatory bail,
arises out of Ballia P.S. Case No.67 of 2016, disclosing
offences under Sections 272/273 of the Indian Penal Code
and Section 47(a) of the Bihar Excise Act.

From a pick-up van, bearing registration No.BR-

09M-9239, owned by the petitioner, the police recovered large quantity of foreign liquor.

Learned counsel, appearing on behalf of the petitioner, has submitted that the foreign liquor belonged to one Chanchala Devi, who had valid licence to deal with the foreign liquor, and on whose instructions, the liquor was being carried in the said vehicle. Learned counsel for the petitioner has referred to an application, filed by the said licensee before the Court of learned Chief Judicial Magistrate, in which she has claimed her ownership over the said foreign liquor. He has further submitted that in any event, no tangible purpose is going to be served if the petitioner is taken into custody with the allegation as made in the First Information Report, as the petitioner is ready to cooperate with the police in course of investigation.

In view of the submission, as above, 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, Begusarai**, in connection with **Ballia P.S. Case No.67 of 2016**, subject to the condition laid down under Section 438 (2) of the

Code of Criminal Procedure.

This is subject to the condition that the petitioner, above named, shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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