

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51655 of 2016

Arising Out of PS.Case No. -233 Year- 2016 Thana -TAJPUR District- SAMASTIPUR

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1. Aman Kumar Gupta @ Aman Prasad Gupta, son of Sudhir Sah, Resident of Village- Motipur, P.S.- Tajpur, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Babita Kumari, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-12-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

Petitioner is languishing in judicial custody since 24.07.2016 in connection with Tajpur P.S. Case No. 233 of 2016 registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code and Section 47 (A) of Excise Act and 54/57 of the New Bihar Excise (Amendment) Act, 2016.

The prosecution case as lodged by the police personnel is that during course of inspection it was found that from Tata 207 pickup van containing 580 liters and 320 ml foreign liquor was confiscated in 66 cartons and the petitioner was apprehended.

It has been submitted by the learned counsel for the



petitioner that he is just a driver of the Pick up van and incriminating articles belong to one Raj Kumar Sah. He submits that charge sheet has already been submitted, hence there is no chance of tampering with prosecution evidence and he has no criminal history.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since charge sheet has already been submitted and the petitioner has no criminal history, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Samastipur in connection with Tajpur P.S.Case No. 233 of 2016.

(Nilu Agrawal, J)

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