

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31820 of 2016

Arising Out of PS.Case No. -56 Year- 2016 Thana -AKHODHIGOLA District- SASARAM
(ROHTAS)

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Babloo Kumar Singh @ Babloo Singh S/o Bindeshwari Singh, resident of
Village- Hanumangarhi, P.S. Ankorhigola, District Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Sri Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 24-08-2016

At the very outset, learned counsel for the petitioner submits that in paragraph-6 of the petition, a typographical error has occurred. He submits that instead of 200ml, it has been typed as 20 ml. He makes a prayer for making correction.

The prayer is allowed.

Learned counsel for the petitioner is permitted to make correction accordingly in course of the day.

Heard Sri Krishna Prasad Singh, learned Senior Counsel, who was assisted by Sri Mithilesh Kumar Singh, learned counsel for the petitioner and Sri Umanath Mishra, learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in Akorhigola P.S. Case No.56/2016 registered for the offence under

Sections 272, 273 of the Indian Penal Code and Section 47(A)(e) of the Excise Act, has prayed for grant of bail in the event of his arrest.

It was submitted by learned counsel for the petitioner that recovery of about 18 pouches containing 200 ml each country made liquor was shown to be recovered from the lower portion of the house of the petitioner. It has been argued that said portion was in occupation of renters and since the petitioner is owner of the house, he has been made accused in the present case. He further submits that under Section 47(A) of the Excise Act, the petitioner may not be prosecuted.

Be that as it may, keeping in view the nature of accusation, let the petitioner, namely Babloo Kumar Singh @ Babloo Singh , in the event of his arrest or surrender within six weeks from today, be released 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 learned Sub Divisional Judicial Magistrate, Dehri-on-Sone, Rohtas in connection with Akorhigola P.S. Case No.56/2016 subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

NKS/-

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(Rakesh Kumar, J)