

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44495 of 2016

Arising Out of PS.Case No. -63 Year- 2016 Thana -AMBA District- AURANGABAD

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Dhananjay Singh son of Sri Ram Pravesh Singh resident of Mirjapur, P.S. -
Kutumba, District- Aurangabad (Bihar)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abha Singh

For the Opposite Party/s : Mr. Smt. Indu Bala Pandey

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 27-10-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Amba P.S. Case No. 63 of 2016 registered under Sections
47(a) and 54 of the Excise Amendment Act.

The accusation is that on receiving the secret
information about carrying the illegal articles loading on Scorpio
Vehicle bearing No. BR 26D-2292, the Police reached at the Erka
Check Post and started checking the vehicle. At the distance of 50
meter, the vehicle was stopped and two persons after seeing the
police personnel started fleeing away. On search, 1800 pouches of
200 ml. country made liquor manufactured by Jharkhand State
was recovered.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is not the owner of the seized vehicle. In fact, the agreement to sale was executed by the petitioner in favour of one Krishna Singh on 01.08.2016, in which it is mentioned that the said vehicle handed over to Krishna Singh. As such, petitioner was not the owner of the Scorpio vehicle, bearing no. BR 26D 2292, rather the same was in possession of Krishna Singh, son of Kaileshwar Singh, P.S. Nawdih, District – Palamu (Jharkhand).

Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the C.J.M., Aurangabad in connection with Amba P.S. Case No. 63 of 2016, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Rajendra Kumar Mishra, J)

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