

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11126 of 2016

Arising Out of PS.Case No. -72 Year- 2012 Thana -NAWAKOTHI District- BEGUSARAI

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Saroj Kumar Jha, Son of Vijay Kant Jha, Resident of Village:- Pidhauri,
P.S:- Teghra, District:- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-04-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Section 188 of the Indian Penal Code and 47A of the Excise Act.

Allegation against the petitioner is that on search from his shop 52 pouches containing country liquor 400 ml. each were recovered.

It is submitted on behalf of the petitioner that he has got no criminal antecedent. He has been made accused due to mistake of fact. The recovery from the shop of the petitioner is being denied. It is further submitted that petitioner is ready to deposit an amount of Rs.25,000/- in the court below which shall be subject to the final disposal of the case.

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

Considering the aforesaid facts and circumstances, it is directed that petitioner shall deposit an amount of Rs.25,000/- in the court below which shall be subject to the final disposal of the case.

Let the above named petitioner, in the event of 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 Chief Judicial Magistrate, Begusarai, in connection with Naokothi P.S. Case no. 72 of 2012, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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