

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10767 of 2016

Arising Out of PS.Case No. -147 Year- 2015 Thana -TARIYANI CHOWK District- SHEOHAR

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Hari Kishore Sah son of Late Rajendra Sah, Resident of Village- Marhalla,
P.S.- Taryani, District- Sheohar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha

For the Opposite Party/s : Mr. Hirday Prasad Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 14-03-2016

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 272,
273 of the Indian Penal Code and 47(a) of the Excise Act.

One person was seen carrying a cartoon
with plastic bag. On chase he escaped from the scene and from a
cartoon 14 litres of country made liquor and 5½ litres of foreign
liquor were recovered. Chaukidar and the local people identified
the escaped person as the petitioner.

It is submitted by learned counsel for the
petitioner that the recovery cannot be treated from the possession
of the petitioner and only on suspicion the accusation has been

levelled. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

The aforesaid facts constitute ground for consideration of prayer for regular bail, if the petitioners surrender before the learned court below within a period of six weeks from today in connection with Tariyani P.S. Case No. 147 of 2015 pending in the court of learned Additional Chief Judicial Magistrate, Sheohar.

With the aforesaid observation, this application is disposed of.

(Dinesh Kumar Singh, J)

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