

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27704 of 2016

Arising Out of PS.Case No. -197 Year- 2016 Thana -LAKHISARAI District- LAKHISARAI

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1. Sunny Kumar, son of Ghanshyam Mandal, resident of Village- Kiul Basti
Ward No.22, behind the Bharat Mata, P.S.- Kabaiya, District- Lakhisarai
..... Petitioner

Versus

1. The State of Bihar
..... Opposite Party

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Appearance :

For the Petitioner : Mr. Ram Sumiran Rai, Adv.

For the Opposite Party : Smt. Asha Devi, APP 85

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

3 01-09-2016

Heard both the sides.

The petitioner apprehends his arrest in Lakhisarai (Kabaiya) P.S. Case No. 197 of 2016 under Section 290 of the Indian Penal Code and 47(A), 52 and 53 of the Bihar Excise (Amendment) Act, 2016.

The informant, Assistant Sub Inspector of Police of Kabaiya Police Station alleged that during night duty he made raid on secret information on the house of Ramesh Pandit from where 100 bottles of Indian Made Foreign Liquor were recovered. Ramesh Pandit disclosed that he let out the house to Sunny Kumar, the petitioner, Bittu Kumar, Chotu Kumar, both sons of Ghanshyam Mandal, a day before the occurrence. It is submitted that the petitioner never took the house on rent. There is no chit of paper and Ramesh Pandit has falsely implicated the petitioner.

Considering the facts and circumstances that nothing has been recovered from the conscious possession of the petitioner rather the wine was recovered from the house of Ramesh Pandit and the name of the petitioner figures on the disclosure of Ramesh Pandit, the petitioner, above named, in the event of his arrest or

surrender, within four weeks from the date of receipt of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with the Lakhisarai (Kabaiya) P.S. Case No. 197 of 2016 to the satisfaction of the Chief Judicial Magistrate, Lakhisarai, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Prabhat Kumar Jha, J)

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