

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26725 of 2016

Arising Out of PS.Case No. -14 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-
DARBHANGA

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1. Shambhu Nath Jha Son of Sri Amarnath Jha Resident of village - Jariso,
P.S. Bahera, Distt. - Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shama Sinha

For the Opposite Party/s : Mr. Sri Rajballabh Singh

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 12-08-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with a
case registered for the offences punishable under Sections 47/A of
the Excise Act.

The allegation against the petitioner is that from two of the
vehicles belonging to the petitioner about 248.025 liters of foreign
liquor was seized.

Learned counsel for the petitioner submits that the though
he is not named in the First Information Report, subsequently, his
name transpired on the basis of the fact that trucks in question,
belong to the petitioner as such, he has been roped into the present
case. It is submitted that the petitioner has no connection in excise
business and his business is related to construction material and

fertilizers. It is further submitted that the alleged 1008 litres of country made liquor were found to have been unloaded at a place which was neither a liquor godown nor was the premises having any connection with the present petitioner.

Taking into consideration all facts and circumstances of the case and also the date of occurrence which is 01.04.2016 on which date, the new Excise Act came into existence, let the petitioner in the event of his arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Benipur, Darbhanga in connection with G.O. Case No. 14/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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