

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41099 of 2016

Arising Out of PS.Case No. -96 Year- 2016 Thana -RAFIGANJ District- AURANGABAD

1. Ajit Kumar @ Pappu Sondik S/o Ram Chandra Prasad Sondrik, resident of Mohalla- Mathpar, Thawagali, P.S.- Rafiganj, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Adv.
Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Uday Pratap Singh

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

2 27-09-2016

Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Rafiganj Police Station Case No. 96 of 2016, disclosing offences under Section 47(a) of the Bihar Excise Act as amended in 2016.

From the possession of the co-accused, Awadhesh Kumar and Akhilesh Kumar, 50 bottles of foreign liquor is said to have been recovered. They were riding in a motorcycle when they were intercepted by the Police, leading to the recovery of foreign liquor.

Learned Senior Counsel appearing on behalf of the petitioner has submitted that merely on the basis of

statement of said two co-accused persons that they were carrying the said liquor for being supplied to the present petitioner, he has been implicated. This is because the motorcycle, which the said accused persons were riding, belonged to this petitioner.

Considering the submission that the petitioner has been implicated on the basis of statements of co-accused that they were carrying the foreign liquor for the petitioner and that is the only allegation against him, this application is allowed.

Let the petitioner, Ajit Kumar @ Pappu Sondik, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Rafiganj Police Station Case No. 96 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be

cancelled.



(Chakradhari Sharan Singh, J.)