

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20530 of 2016

Arising Out of PS.Case No. -5 Year- 2016 Thana -MAHKAR District- GAYA

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Vijay Kumar Gupta, Son of Rameshwar Prasad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-05-2016

Heard learned counsels for the petitioner and the
State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 47(a), 13 (f), 48 of the Excise Act and Rules 2(e)/3/5(b)/18 of the Bihar Excise (Mahua Flowers) Rules, 2006.

Prosecution case is that the informant being I/c of Mahakar police station during search of vehicle intercepted a Bolero vehicle when apprehended one Kishor Yadav being driver of the vehicle and 50 bags of Mahua flowers weighing 20 quintal were recovered. The driver suggested that he was carrying Mahua flowers at the behest of Guddu Saw.

It is submitted by learned counsel for the petitioner that the petitioner admittedly was not on the seized vehicle and

the petitioner was not aware that the driver was carrying Mahua flowers. 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.

Let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Mahkar P.S. Case No.5/2016, pending before the learned CJM, Gaya.

With the above observation, this application is, accordingly, disposed off.

(Dinesh Kumar Singh, J)

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