

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27303 of 2016

Arising out of PS.Case No. -16 Year- 2016 Thana -BIHTA District- PATNA

Ramakant Sao @ Ramakant Gupta, S/o Mohan Sao, r/o - Behind Chamra
Factory, Bihta, P.S. - Bihta, Distt.-Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Amresh Kumar Sinha, Advocate.

For the Opposite Party : Mr. Sri Shailendra Kumar -1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-07-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Bihta P.S. Case No. 16 of 2016 for the offences instituted
under Sections 414, 120(B) of the IPC, 47, 48 of the Excise Act,
2,3, and 4 of the Mahua Flower Control Act.

The prosecution story, in brief, is that one Van was
parked beside road and 4-5 persons were standing in front of the
Van and after seeing the police party they started fleeing away. On
chase, one person was arrested who disclosed as Pramod Kumar as
driver and disclosed the name of others who fled away including
the petitioner. The documents were asked for but the same was not
produced and hence in presence of two independent witness the

Van was searched and total 20.45 quintal in all 45 bags were seized. It is further alleged that the same was being used for preparation of wine.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. He has falsely been implicated in the present case. He is named in the present case on the basis of confession of co-accused. There is no recovery of any incriminating article from possession of the petitioner. It is further submitted that the petitioner is ready to deposit an amount of Rs. 15,000/- in the court below which shall be subject to final disposal of the case.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner shall deposit an amount of Rs. 15,000/- in the court below which shall be subject to final disposal of the case and on doing so, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Bihta P.S. Case No. 16/2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Danapur, Patna, subject

to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

