

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44005 of 2016

Arising Out of PS.Case No. -490 Year- 2016 Thana -NAWADA District- NAWADA

Dharmendra Kumar @ Bablu, Son of Late Vijay Prasad @ Late Vijay Yadav, resident of Village - Mastanganj, P.S. Akbarpur, District - Nawada.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

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

For the Opposite Party : Mr. Nagendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-11-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Nawada Town P.S. Case No. 490 of 2016 for the offences instituted under Sections 272, 273 of the IPC and 47(A)(C)(E) and (G) of the Excise Act.

The prosecution story, in brief, is that 823 liters of foreign liquor and country made liquor were recovered from a Bolero vehicle. The driver of the vehicle including two persons were caught on the spot by the police. The driver of the vehicle disclosed the name of this petitioner as the owner of the said vehicle.

It has been submitted on behalf of the petitioner that the

petitioner has got no criminal antecedent. There is no allegation of tampering with the witness alleged against the petitioner. He has falsely been implicated in the present case. The petitioner happened to be the owner of the vehicle. The said vehicle is running as a Taxi by the driver of the vehicle. He has got no concern with the alleged recovery of the foreign liquor and country made liquor from the vehicle.

On behalf of the State, it has been submitted that the driver of the vehicle has disclosed the name of the petitioner as the owner of the said vehicle.

Considering the aforesaid facts and circumstances, 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 Nawada Town P.S. Case No. 490/2016 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Nawada, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)