

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3281 of 2016

Arising Out of PS.Case No. -122 Year- 2015 Thana -RIVILGANJ District- SARAN

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1. Sunil Prasad @ Sunil Sah @ Sunil Kumar Son of Banarasi Sah Resident
of Village- Kawapur, Police Station- Turkawaliya, District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. J.N.Thakur(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 30-01-2016 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 413,
414, 120B of the Indian Penal Code.

It is alleged that 17 bags of betel nut, each
containing 60 K.g were recovered from the pickup van, when
driver Ram Equbal Sah and cleaner Sipahi Kumar were
apprehended who suggested that the betel nut belongs to the
petitioner.

It is submitted by the learned counsel for the
petitioner that petitioner under the valid purchase of the betel
nut from Jai Mata Di National Enterprises, Motihari getting it
transported. The vendor of the petitioner purchase it in the
auction made by custom department. It is further submitted

that cleaner and driver have been granted bail vide Cr. Misc. No. 5351 of 2015. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on provisional anticipatory bail for four months in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran, Chhapara, in connection with Revilganj P.S. Case No. 122 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

The provisional bail of the petitioner will be confirmed by the learned court below on verification of the fact that the betel-nut was being transported under a valid purchase and if it is found otherwise, the petitioner shall surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

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