

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53183 of 2016

Arising Out of PS.Case No. -115 Year- 2016 Thana -SAHEBPUR KAMAL District- BEGUSARAI

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Manoj Kumar Sah @ Manoj Gupta, Son of Late Brahamdeo Sah, Resident
of Village-Panchvir, P.S. Sahebpur Kamal, District-Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ganga Prasad Bimal

For the Opposite Party/s : Md. Ashlam Ansari

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 08-12-2016 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Sahebpur Kamal P.S. Case no. 115 of 2016, registered under Section
47(a) of the Bihar Excise (Amendment) Act, 2016.

The accusation is of recovery of 195 bottle, each
containing 180 ML, 533 bottle- each containing 375 ML Indian made
foreign liquor from a Scorpio and a motorcycle, but the occupant of
the said vehicles succeeded to flee away. Thereafter, six persons
named in the F.I.R. were identified as occupants of the said vehicles
by Chowkidar.

Learned counsel for the petitioner submits that it would
appear from the F.I.R. that petitioner is not named in the F.I.R. and in
course of investigation, it has only come in the supervision note that
this petitioner was licensee of the firm of Indian made foreign liquor



and he might be entered in the transportation of the recovered liquor.
Further submission is that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate-V, Begusarai in connection with Sahebpur Kamal P.S. Case No. 115 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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