

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43971 of 2016

Arising Out of PS.Case No. -322 Year- 2016 Thana -GAYA MUFFSIL District- GAYA

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1. Shashi Kumar son of Vinay Kumar Resident of Village - Kachchi Talaw,
Gardanibagh, P.S. - Gardanibagh, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan

For the Opposite Party/s : Mr. Sri Aditya Narayan Singh 1

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 16-11-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences punishable under sections 420 and 484 of the I.P.C, sections 179, 183 and 184 of the Motor Vehicle Act and section 47 of the Bihar Excise (Amendment) Act 2016.

Allegedly, during checking from the vehicle a white coloured Swift Dezire Car having VIP blue colour light, Royal Stag English Wine in eight cartoons and the liquor of Signature Company containing 750 ml. total 24 bottles were recovered and the petitioner and one Nawal Kumar Singh were apprehended.

Submission is of false implication and that possession of foreign liquor does not prima-facie constitute the ingredients of

offence and one of the co-accused, namely, Nawal Kumar Singh has been allowed bail vide Cr. Misc. No. 41618 of 2016 and as such the petitioner also deserves sympathetic consideration, to which the learned A.P.P. does not dispute.

In the facts and circumstances as stated above, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Gaya in Gaya Mufassil P.S. Case No. 322 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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