

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10065 of 2017

Arising Out of PS.Case No. -587 Year- 2016 Thana -SHERGHATI District- GAYA

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1. Guddu Kumar S/o Late Sahay Yadav, Resident of Village-Bheriya, P.S.-
Barachhati,District-Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Advocate

For the Opposite Party/s : Smt. Madhuri Lata, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-04-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in jail since 19.12.2016 in a case registered for offences punishable under Sections 272/273 and 414 of Indian Penal Code and Sections 30 (a), 32 (2) of Bihar Excise Amendment Act, 2016.

The prosecution case as lodged by the police personnel is that on a secret tip off, he along with his Inspection team proceeded at Piparghati and intercepted a Tata sumo vehicle. The petitioner (driver) was apprehended with 400 liters country made and 18 liters English wine and accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the



petitioner that he is innocent and there is no criminal history and was neither the owner of the vehicle nor owner of the said alleged articles and he was just a daily wage driver. He further submits that nothing has been recovered from his conscious possession and charge sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstance of the case and the materials on record, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction learned Additional Chief Judicial Magistrate, Sherghati, Gaya in connection with Sherghati (Dobhi) P. S. Case No. 587 of 2016 (G.R. No. 2097 of 2016).

(Nilu Agrawal, J)

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