

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.24547 of 2017**

Arising Out of PS.Case No. -461 Year- 2016 Thana -BARACHATTI District- GAYA

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Krishnadeo Kumar, Son of Chandramani Sao, Resident of Village + P.S.-  
Barahi, District- Hazaribagh (Jharkhand).

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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

**ORAL ORDER**

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3      12-07-2017                      Heard learned counsel for the petitioner and the learned  
A.P.P. for the State.

The petitioner seeks bail in connection with Barachatti P.S.  
Case No.461 of 2016 registered under Sections 279, 308, 272 and 273  
of the Indian Penal Code besides Sections 30(a), 30(ii), 38 and 47 of the  
Excise Act.

The accusation is that in course of checking of the vehicles,  
police gave the signal to stop one white colour pickup van. When the  
aforesaid pickup van was stopped, two persons from the aforesaid  
pickup van started to flee away but on chase, one was apprehended by  
the police, who disclosed his name as Krishnadeo Kumar(petitioner)  
and he also disclosed the name of another person, who succeeded to  
flee away, as Manoj Kumar, the driver of the aforesaid pickup van. On



search of the aforesaid Pickup van, 36 Jarkins, each containing 40 liters spirit, were recovered.

Learned counsel appearing on behalf of the petitioner submits that it would appear from the F.I.R. that the petitioner was not apprehended from the aforesaid Pickup van. In fact, the petitioner was passing the road but he was apprehended by the police on mere suspicion. The petitioner having no criminal antecedent is in custody since 19.11.2016. Further submission is that, on investigation, the chargesheet has already been submitted against the petitioner

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Special Excise Judge, Gaya, in connection with Barachatti P.S. Case No.461 of 2016. Out of the two sureties, one must be close relative of the petitioner, who will file an affidavit giving genealogy as to how he/she is related with the petitioner. The bailors will undertake to furnish information to the court about any change in the address of the petitioner.

**(Rajendra Kumar Mishra, J)**

**P.S./-**

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