

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26196 of 2017

Arising Out of PS.Case No. -128 Year- 2017 Thana -FATEHPUR District- GAYA

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1. Rohit Tiwari, Son of Ravindra Tiwari, Resident of Village- Chitourgarh,
P.S.- Nasariganj, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rama Kant Sharma, Sr. Adv

Mr. Lakshmi Kant Sharma, Adv

For the Opposite Party/s : Mr. Smt Sangeeta Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI

ORAL ORDER

3 01-07-2017 Heard learned counsel for the petitioner as well as

learned APP for the State.

Informant, the police official while was on patrolling
got confidential information regarding transportation of wine over
a Bolero Jeep which was signalled to stop. First of all, the driver
tried to get slip but on being obstructed, the driver as well as
occupants of the vehicle tried to run away who were chased out of
whom the petitioner was apprehended. Furthermore, on search 570
Litres of country made wine was recovered.

Contention on behalf of the petitioner is that he was not
at all arrested along with vehicle nor any document has been
seized from his possession to connect as owner of the vehicle and
in likewise manner owner of the seized wine from the vehicle.

Also submitted that no allegation at an earlier occasion



has been attributed against this petitioner with regard to his indulgence in such kind of activity.

Petitioner happens to be under custody since 04.05.2017.

Learned APP opposed the prayer for bail and submitted that though petitioner was not arrested while occupying the vehicle but was chased and apprehended.

Considering the nature of the allegation inconsonance with the period of detention, petitioner, Rohit Tiwari is directed to be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Special Judge-Gaya in connection with Fatehpur PS Case No. 128 of 2017.

(Aditya Kumar Trivedi, J)

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