

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1458 of 2017

Arising Out of PS.Case No. -131 Year- 2016 Thana -EKMA District- SARAN

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1. Prabhunath Tiwary, Son of Thakur Tiwary, Resident of Village.- Md. Ramjani Lane Jora Bagan P.S.- Jora Bagan Dist.- Kolkata (W.B.)

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha

For the Opposite Party/s : Smt. Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 17-01-2017 Heard both sides.

The petitioner apprehends his arrest in Ekma P.S. case No. 131 of 2016 under Section 272, 273 of the Indian Penal Code and under Section 47(a) of the Excise Act.

The informant intercepted a vehicle bearing registration No. WB23B-8021. Driver and cleaner of the truck were apprehended and 120 bottles of Mc Dowel, each containing 180 ml., 14 bottles of Mc Dowel, each containing 375 ml. and 12 bottles of Mc Dowel, each containing 750 ml. were recovered. The petitioner is owner of the truck. The petitioner is not named in the FIR but later on he has also been implicated in the case.

It is submitted that driver and cleaner, who were plying the truck, were carrying the foreign liquor without the



knowledge of the petitioner, owner of the truck.

Considering the facts aforesaid and the nature of allegations made against the petitioner, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Divya Prakash, learned Judicial Magistrate, Saran at Chapra in Ekma P.S. Case No. 131 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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