

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14953 of 2017

Arising Out of PS.Case No. -265 Year- 2016 Thana –BODH GAYA District- GAYA

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Rajesh Sao Son of Sri Shiv Nandan Sao, Resident of Village- Pathalua,
Police Station- Mohanpur, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Kumar Sinha No.-1

For the Opposite Party/s : Mr. Parmanand Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 30-03-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Bodh Gaya
P.S. Case No. 265 of 2016 instituted for the offence under Section
47(A) of Bihar Excise (Amendment) Act, 2016.

It has been submitted that the petitioner is owner of
the pick-up van. His name has been disclosed by the driver of the
pick-up van. The petitioner has no criminal antecedent.

As per written report, one pick-up van loaded with 12
bags of Jawa Mahua weighing 480 kg. was apprehended by the
police and three persons were arrested who disclosed their names
as Yashmendra Yadav (driver), Upendra Sao and Jag Narayan
Sao. The driver disclosed the name of the petitioner as owner of
the alleged pick-up van.



In such circumstances, there is no recovery of any article from possession of the petitioner. He has no criminal antecedent.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Bodh Gaya P.S. Case No. 265 of 2016, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya, subject to the conditions as laid down under Section 438 (2) Cr. P.C.

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(Sanjay Priya, J)

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