

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9076 of 2017

Arising Out of PS.Case No. -170 Year- 2016 Thana -DAUDNAGAR District- AURANGABAD

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Ajay Sao, Son of Late Munendra Sao @ Monarik Sao, resident of Village-
Simra, P.S.- Parsa Bazar, District- Patna Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amit Kumar, Advocate

For the Opposite Party/s : Mr. Sri Lakshmi Kant Sharma, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 09-03-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner, apprehending his arrest in connection
with Daudnagar P.S. Case No. 170 of 2016 registered for the
offence punishable under Sections 30(Gh) of Bihar Prohibition
and Excise Act, 2016, seeks the privilege of pre-arrest bail.

Allegedly, 40 quintals of Mahua flower were recovered
from a Pick-up Van and the driver stated that Mahua flower is of
the petitioner.

Submission is of false implication and that no offence
under the Excise Act is made out. The said Mahua flower is not of
the petitioner, he has got no concern and the driver has wrongly
stated the name of the petitioner and, as such, the petitioner
deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest



bail.

In the facts and circumstances as stated above, considering that the name of the petitioner has been taken by co-accused before Police and besides that there is no other material against the petitioner, the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of the copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Daudnagar in connection with Daudnagar P.S. Case No. 170 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Jitendra Mohan Sharma, J)

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