

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.438 of 2017

Arising Out of PS.Case No. -216 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-
PATNA

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1. Vijay Kumar, S/o Sri Vishwanath Rai, R/V- Madhopur, Jamuniya Tola,
P.S.- Maner, Distt.- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. Sri Ram Bachan Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-01-2017 Petitioner is apprehending his arrest in connection with

Case No. 216(C2) of 2016 registered for offences punishable

under Sections 47(A) of the Bihar Excise Amendment Act, 2016.

It has been submitted on behalf of the petitioner that
petitioner's name come in this case only on the basis of suspicion
as the motorcycle from which the alleged 50 litres of country
made wine was recovered belongs to the petitioner. Learned
counsel for the petitioner further submitted that much before the
alleged occurrence, the petitioner has already sold his motorcycle
from which the alleged recovery was made and, therefore, he is no
where connected in the present offence.

Heard learned A.P.P. also.

Having heard both sides, in view of the fact that the



petitioner has sold his motorcycle before the alleged occurrence and there is no recovery from the conscious possession of the petitioner and he has no criminal antecedent, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period six weeks, 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 learned ACJM, Danapur, Patna in connection with Case No. 216(C2) of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is further subject to the condition that one of the bailors of the petitioner shall be his close relative having sufficient immovable property within the jurisdiction of the concerned Court and petitioner shall cooperate in the investigation of the case and make himself available as and when required by the police.

(Vinod Kumar Sinha, J)

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