

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46158 of 2017

Arising Out of PS. Case No.-31 Year-2017 Thana- ASAWAN District- Siwan

Rajesh Kumar Pathak, S/o Sri B. Pathak, R/o Vill.- Andar, P.S.- Andar Dist.- Siwan.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Adv.
For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 17-10-2017 Heard Sri Ajay Kumar Tiwary, learned counsel for the petitioner and learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in Ashaown P.S. Case No.31 of 2017 registered for the offence under Sections 272, 273,308 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016, has prayed for grant of bail, in the event of his arrest or surrender.

It was submitted by learned counsel for the petitioner that it is true that the petitioner is owner of the vehicle, but fact remains that the said vehicle was taken by his nephew and from the said vehicle, allegedly recovery 8 bottles of 180 ml of Indian Make Foreign liquor was shown. He submits that the petitioner is having clean antecedent, which fact has been mentioned in paragraph-3 of the petition.



Considering the nature of accusation as well as clean antecedent of the petitioner, let the petitioner, namely, Rajesh Kumar Pathak, in the event of his arrest or surrender within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Addl. Sessions Judge, Siwan in connection with Ashaown P.S. Case No.31 of 2017, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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