

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55612 of 2016

Arising Out of PS.Case No. -157 Year- 2016 Thana -KHARAGPUR District- MUNGER

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Bhola Sah, Son of Late Kallar Sah, resident of Bhalooakol, P.S.
Kharagpur, District- Munger.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Jha, Adv.

For the Opposite Party/s : Mr. Satyendra Narayan Singh. APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

2 12-01-2017 Heard both sides.

The petitioner apprehends his arrest in Kharagpur
P.S. Case No. 157/2016, registered for the offences punishable
under Section 47 of Bihar Excise Act and Sections 2(E), 3, 5(B)
and 18 of Mahua Flowers Rules.

The police intercepted one Magic vehicle and one
person was apprehended who disclosed his name as Mahesh Das.
One person managed to flee away. Mahesh Das disclosed the
name of other person as Chhotu Sah and also disclosed that the
seized Mahua flower belongs to Dhiraj Sah who sold the Mahua
flower to Bhola Sah (petitioner) and he was carrying Mahua
flower to the house of Bhola Sah.

Learned counsel for the petitioner submits that



nothing has been recovered from the possession of the petitioner. Petitioner is not the owner of the vehicle. On mere assertion that Mahesh Das was carrying Mahua Flower to the house of the petitioner, petitioner has been made accused in the case.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest or surrender before the 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 Sub-Divisional Judicial Magistrate, Munger in connection with Kharagpur P.S. Case No. 157/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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