

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53861 of 2016

Arising Out of PS.Case No. -326 Year- 2016 Thana -BARACHATTI District- GAYA

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1. Raju Prasad @ Raju Sudhi Son of Sri Nathuni Prasad Resident of
Village-Rajpur, P.S.-Rajpur, District-Rohtas

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra

For the Opposite Party/s : Mr. Sri Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 11-01-2017 Heard learned counsel for the petitioner as well as

learned A.P.P. for the State.

This application is for grant of anticipatory bail for the

offence under Sections 272, 273, 120B of the Indian Penal Code

and 47A, 48(2), 54 and 63 of the Bihar Excise (amendment) Act.

It is submitted on behalf of the petitioner that from

perusal of whole FIR, it will appear that the recovery has been

made from the Indica Car and the petitioner is no way concern

with the aforesaid Vehicle and the allegation against the

petitioner is that on his disclosure, there is recovery of

country-made liquor as well as English liquor; except that there is

no allegation against the petitioner and the petitioner has no



criminal antecedent.

Heard learned A.P.P. also.

Having heard both sides. In view of the fact that recovery is not from the possession of the petitioner and the petitioner has no criminal antecedent, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks, 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 A.C.J.M., Sherghati, District-Gaya in connection with Barachatti P.S.Case No.326 of 2016 , subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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