

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3941 of 2017

Arising Out of PS.Case No. -273 Year- 2016 Thana -BARACHATTI District- GAYA

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1. Pawan Kumar, son of Saryu Yadav, resident of Baiju Bigha, P.S.-
Bodhgaya, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. D.S.P. Singh (App)

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

2 15-02-2017 Heard learned counsel for the petitioner and the

learned counsel representing the State.

The petitioner apprehends his arrest in connection
with Barachatti P.S Case No. 273 of 2016 registered for the
offences punishable under Sections 272 and 273 of the Indian
Penal Code and Section 47(a) of the Bihar Excise (Amendment)
Act, 2016.

Allegedly, in ETIOS GD car which was being driven
by Satyanarayan Kumar, 27 liters of foreign liquor was recovered
and the driver accepted that he has purchased the same and was
going to sell at Gaya and on enquiry, he disclosed the name of the
owner of the vehicle as the petitioner.

Submission is of false implication and that the



petitioner has got no concern with the said liquor as the petitioner is the owner of the said vehicle, he has falsely been made accused in this case. The driver has purchased the liquor and was going to sell at Gaya without giving any information to the petitioner and as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances stated above, considering that it was the driver who has allegedly purchased the said liquor and was going to sell at Gaya and, as such, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of the order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sherghati at Gaya in connection with Barachatti P.S. Case No. 273 of 2016, subject to the conditions as laid down in Section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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