

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12734 of 2017

Arising Out of PS.Case No. -98 Year- 2016 Thana -SAHARGHAT District- MADHUBANI

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Ashok Kumar Rai, S/o Ram Vinod Ray, Resident of Village- Sonai, P.S.
Khirhar, District- Madhubani.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bimal Kumar, Advocate

For the Opposite Party : Mr. Md. Arif (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 12-04-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with
Saharghat P.S Case No. 98 of 2016 (G.R. No. 1063 of 2016)
registered for the offences punishable under Sections 272, 273 of
the Indian Penal Code and Section 30(a) Bihar Excise Act.

Allegedly, the owner-cum-driver of pick-up vehicle
bearing registration No. BR-8970 was carrying Nepali liquor and
after seeing the police personnel the driver-cum-owner fled away
after leaving the vehicle and from vehicle 230 bottles each
containing 300 M.L. and A.C. Black 40 bottles each containing
375 M.L. Nepali liquor was recovered. The petitioner surrendered
as he is the driver of the said vehicle.



Submission is of false implication and that nothing has been recovered from conscious possession of the petitioner, petitioner surrendered voluntarily on 04.01.2017 and since then he is in custody and as, such, he deserves sympathetic consideration.

Learned A.P.P. did not oppose the prayer of bail.

In the facts and circumstances stated above, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of S.D.J.M., Benipatti, District-Madhubani, in connection with Saharghat P.S. Case No. 98 of 2016 subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

Rajiv/-

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