

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62559 of 2017

Arising Out of PS.Case No. -105 Year- 2017 Thana -RAUTA District- PURNIA

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Firdosh @ Md. Firdos Alam, son of Sakir alias Md. Sakir, resident of village-Pandarpur, Police Station-Rauta in the district of Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 21-12-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Special Excise Case No.2528 of 2017, arising out of Rauta P.S. Case No.105 of 2017, registered under Sections 272 and 273 of the Indian Penal Code besides Sections 37(a) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that on receiving secret information about carrying of illicit liquor, loaded on two motorcycles, by four persons, the informant being the A.S.I. of Rauta Police Station alongwith other police officials proceeded towards Shishawari Pitch Road, then two motorcycles were seen on which four persons were sitting. On giving signal them to stop, while two persons, boarded on one motorcycle, succeeded to flee away but another motorcycle was left by the driver



and pillion driver. On search of that motorcycle, 10.5 liters Indian Made Foreign Liquor was recovered. At that time, the informant identified four persons including the petitioner.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that the petitioner was not apprehended on the spot rather the informant claimed to identify the accused, including the petitioner, who succeeded to flee away leaving the motorcycle. The petitioner is not the owner of the seized motorcycle. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the 3rd Additional Sessions Judge-cum-Special Judge (Excise), Purnea, in connection with Special Excise Case No.2528 of 2017, arising out of Rauta P.S. Case No.105 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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