

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1186 of 2017

Arising Out of PS.Case No. -86 Year- 2016 Thana -SARE District- NALANDA (BIHARSHARIFF)

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Raju Kumar @ Raj Kumar Saw, Son of Dev Nandan Prasad, resident of Village/Mohalla-Harnaut Chandi Road, Police Station-Harnaut, District-Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Dr. Ajeet Kumar, Advocate.

For the Opposite Party : Mr. Amit Kumar Rakesh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-01-2017 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Sare P.S. Case No. 86 of 2016 for the offences instituted under Sections 420, 467, 468, 120(B), 279 of the IPC and 47(a), 54 and 57 of the Bihar Amended Excise Act, 2016.

The prosecution story, in brief, is that on search, 715 bottles of foreign liquor was recovered from the vehicle. The petitioner is owner of the said vehicle.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. He has



falsely been implicated in the present case. Altogether 263 liters of foreign liquor is said to have been recovered from a vehicle. The vehicle in question has already been sold to another person, namely, Binod Yadav by the petitioner prior to the alleged occurrence. There is no recovery from conscious possession of the petitioner. There is no compliance of Section 100 Cr. P.C. in the present case.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Sare P.S. Case No. 86/2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Nalanda at Biharsharif, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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