

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7761 of 2017

Arising Out of PS.Case No. -313 Year- 2016 Thana -RAHUI District- NALANDA
(BIHARSHARIFF)

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1. BUNTY KUMAR YADAV @ BANTY KUMAR @ BUTTY KUMAR
YADAV, S/o Ram Nandan Yadav @ Ram Nandan Prasad, R/o Vill-
Jagnandanpur, P.S.- Rahui, Distt- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv.
Mr. Amresh Kumar Sinha, Adv.
Mr. D. Kumar, Adv.
Mr. P.K. Arya, Adv.

For the Opposite Party/s : Mr. Madhuranand Jha, APP-102

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

2 01-03-2017 Heard learned counsel for the petitioner, and the

learned counsel representing the State.

The petitioner apprehends his arrest in connection
with Rahui (Bhaganbigaha) P.S Case No. 313 of 2016 registered
for the offences punishable under Sections 420, 120(B) of the
Indian Penal Code and Sections 30(A), 38 and 41 of Bihar Excise
Amendment Act.

At the very outset it is submitted that the name of the
petitioner was taken by Roshan @ Chunnu who was sent by the
petitioner on truck to unload the wine at Khanda of Chanaura. The
petitioner has got enmity with Roshan @ Chunnu resulting he has



taken the name of the petitioner. The driver of the truck has not named the petitioner and without any material and only on the basis of statement of co-accused the petitioner is being searched for his arrest. The petitioner has got no concern either with the truck or with the said liquor which was recovered from the said truck.

The learned A.P.P. opposes the prayer of pre-arrest bail but submits that the name of the petitioner was taken by Roshan @ Chunnu.

In the facts and circumstances stated above, 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) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Nalanda, Bihar Sharif in connection with Rahui (Bhaganbigha) P.S. Case No. 313/16 subject to the conditions as laid down in Section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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