

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47732 of 2016

Arising Out of PS.Case No. -252 Year- 2016 Thana -TAJPUR District- SAMASTIPUR

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1. Neeraj Mahto @ Neeraj Kumar @ Niraj Kumar @ Niraj Mahto Son of
Sri Ram Dinesh Mahto resident of village - Barha, P.S. Rosera, District -
Samastipur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Opposite Party/s : Mr. Sri Amrendra Prasad

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 28-01-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out
of Tajpur Police Station Case No. 252 of 2016, disclosing offences
under Sections 272 and 273 of the Indian Penal Code and 47(A) of
the Excise Act & 54, 57 of the Bihar Excise (Amendment) Act.

According to the prosecution case, three vehicles
bearing registration Nos. BR-1P-7962, BR-33GA-0523 and BR-06K-
8194 loaded with foreign liquor have been seized by the police.

Learned Counsel for the petitioner has submitted that the
petitioner has falsely been implicated in this case. Merely on the
confession of one Manoj Kumar Das, the name of the petitioner has
been implicated in this case. Nothing has been recovered from the
conscious possession of the petitioner. Moreover, co-accused,



Kamdeo Kumar Daha, has already been granted anticipatory bail by a co-ordinate Bench of this Court in Cr. Misc. No. 46619 of 2016 and the petitioner has also got clean antecedent. Hence, he deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case and the nature of allegation, let the petitioner, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Samastipur, in connection with Tajpur Police Station Case No. 252 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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