

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1753 of 2017

Arising Out of PS.Case No. -114 Year- 2016 Thana -BAUSI District- PURNIA

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Md. Sarafat, Son of Sajjad Hussain, Resident of Village - Chocha, P.S. -
Baisi, District - Purnea

.... Petitioner

Versus

The State of Bihar

..... Opposite Party

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Appearance :

For the Petitioner : Mr. Nafisuzzoha, Advocate
Mr. Mazher Alam, Advocate

For the Opposite Party : Mr. Nagendra Prasad (APP)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 21-02-2017 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in Baisi P.S.
Case No. 114 of 2016 instituted for the offence under Section 273
of the Indian Penal Code and Section 47(a) of Bihar Excise Act.

It is alleged that total 300 bottles containing one litre
each of foreign liquor has been recovered from Mahendra Maximo
Mini Van. Two persons managed to run away. The name of this
petitioner has been disclosed by the owner of the vehicle stating
that he has sold the vehicle to this petitioner. Learned 1st
Additional Sessions Judge, Purnea has mentioned in the impugned
order that no any registration paper or owner-book in the name of
this petitioner has been submitted.

From written report itself, it appears that petitioner



was not present at the spot. From the seizure list, it also appears that there is no recovery from possession of this petitioner. It is mentioned in para-3 of bail petition that Petitioner has clean antecedent.

In the circumstances, prayer of the petitioner for anticipatory bail is allowed.

In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Baisi P.S. Case No. 114 of 2016, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Purnea, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Sanjay Priya, J.)

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