

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5307 of 2017

Arising Out of PS.Case No. -252 Year- 2016 Thana -BIRPUR District- SUPAUL

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1. Ram Kumar Gupta @ Ramu Gupta Son of Shri Harishankar Prasad Gupta, Resident of Village-Bhimnagar, Block-Basantpur, P.S.-Birpur, District-Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrit Abhijat

For the Opposite Party/s : Smt. Anusuiya Jaiswal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-02-2017 The petitioner is apprehending his arrest in connection with Birpur (Bhimnagar O.P.) P.S. Case No. 252 of 2016, registered for offences punishable under Sections 379, 290, 341, 323, 332, 353, 225, 120(B) of the Indian Penal Code and Sections 37(C), 75(ii) of the Bihar Excise (Amendment) Act, 2016.

It has been submitted on behalf of the petitioner that the only allegation against the petitioner is that he along with 200 hundred persons went to the spot and rescued the accused persons from the custody of the police and except that there is nothing against this petitioner and as such no case is made out under the above Sections of Bihar Excise Act. It has further been submitted that other co-accused persons having similar allegations, have already been granted bail by the court below. The petitioner has no



criminal antecedent.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, let petitioner surrenders before the Court below and the Court below after considering the submission of learned counsel for the petitioner that no case under Section 37(C), 75(ii) of the Bihar Excise (Amendment) Act, 2016, is made out against the petitioner and also after considering the fact that other co-accused have already been granted by the court below itself, shall pass an appropriate order preferably on the same day, without being prejudiced by the order of this Court.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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