

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31833 of 2017

Arising Out of PS.Case No. -272 Year- 2015 Thana -NOKHA District- SASARAM (ROHTAS)

=====

Ranjeet Azad, Son of Late Bhagwan Sah, Resident of Village-Nokha, P.S.-
Nokha, District-Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi, Advocate

For the Opposite Party/s : Mr. Ajay Kumar -2, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 13-07-2017

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Nokha P.S. Case No. 272 of 2015 registered for the offences
punishable under Sections 272, 273 of the Indian Penal Code
and Section 47(a) of the Excise Act.

It is stated by the learned counsel for the petitioner
that this case was instituted under Sections 47(a) of the Excise
Act prior to the coming into force of Bihar Prohibition of Excise
Act or Bihar Excise Amendment Act. It is stated that though the
alleged recovery of 32 bottles of liquor is said to have been



made from the motorcycle, which is registered in the name of the petitioner, the first information report was registered after one day on 23.12.2015 and the same was sent to the court after nine days on 02.01.2016. It is further contended that the motorcycle of the petitioner was taken away by the servant of the petitioner and since the petitioner was searching him, he had not made any complaint against him. When the motorcycle was seized near a school where no one was to claim its ownership, the case was registered against unknown and, subsequently, after the police came to know that the motorcycle was registered in the name of the petitioner, the police is behind the petitioner.

Learned counsel for the State has opposed the prayer for pre-arrest bail to the petitioner.

Regard being had to the submissions made above as also the statement made in para 3 of the bail application that the petitioner has got no criminal antecedent, he is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Rohtas at Sasaram in connection with Nokha P.S. Case No. 272 of 2015 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, in the event of arrest



or surrender within a period of six weeks from today.

(Ashwani Kumar Singh, J.)

Sanjeet/-

U		T	
---	--	---	--

