

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 76047 of 2018

Arising Out of PS. Case No.-91 Year-2018 Thana- AMBA District- Aurangabad

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Ravi Kumar Singh Son of Bachchu Singh, resident of Village- Sarsot,
Barwadih, P.S. Hariharganj, District- Palamu.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sri Gauri Shankar Gupta

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 18-12-2018

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

Petitioner seeks bail in a case registered under
Sections 30 (a), 37 (b)/38 of Bihar Prohibition and Excise Act,
2016 and Section 414 of Indian Penal Code.

It is submitted by the petitioner's counsel that having
no criminal antecedent, the petitioner has falsely been
implicated in this case. The allegation of recovery of 90 liters of
spirit from the vehicle allegedly being driven by the petitioner is
false. Seizure is also contrary to the procedure prescribed under
Section 100 of Criminal Procedure Code. Petitioner was mere
driver of the vehicle in question and is in custody since
07.10.2018.



Considering the aforesaid submissions and the facts and circumstances of the case, prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge VII -cum- Special Judge, Excise, Aurangabad in Amba Police Station Case No 91 of 2018 subject to the following conditions:

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

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