

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31942 of 2018

Arising Out of PS. Case No.-92 Year-2017 Thana- ITADHI District- Buxar

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Suman Tiwari S/o Tarkeshwar Tiwari R/o Vill - Kharagpura, P.S. - Rajpur,
Dist - Buxar, At present resident of Koipurwa, P.S. - Buxar (T), Dist. - Buxar.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary 1

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 13-06-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Itarhi P.S. Case no. 92 of 2017, registered under Sections
272, 273 of the Indian Penal Code and Section 30(a) of the
Bihar Prohibition Excise Act.

The accusation is that in course of checking of the
vehicle, a motorcycle was intercepted by the informant and
other Police officials, but the persons who were boarded on the
motorcycle succeeded to flee away. On search, 90 bottles, each
containing 180 ML India made foreign liquor recovered from
the motorcycle.

Learned counsel for the petitioner submits that it
would appear from the F.I.R. that petitioner is not named in the



F.I.R. In course of investigation, it was detected that the seized motorcycle was in the name of Anil Tiwari, elder brother of the petitioner, due to that reason, the petitioner has also been implicated in this case. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge-II-cum-Special Judge, Excise Act, Buxar in connection with Itarhi P.S. Case No. 92 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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