

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36567 of 2018

Arising Out of PS. Case No.-208 Year-2016 Thana- FATEHPUR District- Gaya

Binod Turiya S/o Karu Turiya, R/o Vill.- Harakurha, P.S.- Fatehpur, District- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Adv.

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 29-06-2018 Heard Sri Ajay KumarSinha, learned counsel for the petitioner and learned Addl. Public Prosecutor.

The sole petitioner, having clean antecedent, which fact has been stated in paragraph-3 of the petition, apprehending his arrest in Fatehpur P.S. Case No.208 of 2016 registered for the offence under Sections 272/ 273/34 of the Indian Penal Code and Sections 47(a)(g) of the Bihar Prohibition and Excise Act, 2016, has prayed for grant of bail, in the event of his arrest or surrender.

By way of referring to the F.I.R. learned counsel for the petitioner submits that in this case, one T.V.S. motorcycle was found, from which about 3 liters of country-made liquor was recovered and the petitioner has been made accused, as if the police was informed by the local people that the person, who



had fled away, was the petitioner. It has been argued that in the case, name of the person has not been mentioned, who allegedly disclosed the name of the petitioner as accused.

Considering nature of accusation as well as the fact that the petitioner is having clean antecedent, in the event of his arrest or surrender within six weeks from today, let the petitioner, namely, Binod Turiya be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Gaya in connection with Fatehpur P.S. Case No.208 of 2016., subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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