

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52809 of 2018

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1. Nek Mohammad @ Nek Mohammed Kh. S/o Sri Shamim Khan, R/o
Vill.- Manpur, P.S.- Khaira, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar Shrivastava, Adv

For the Opposite Party/s : Smt Indu Kumari Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 27-09-2018

Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a
case registered for the offences punishable under Section
47(A) of the Excise Act (Old).

From a tanker, 200 liters of spirit was recovered.
Allegation is that the petitioner was driver of the tanker.

Learned counsel for the petitioner submits that
petitioner is not the driver of the tanker nor he has got any
criminal antecedent.

Considering the aforesaid fact, let the petitioner,
above named, in the event of his arrest or surrender before
the court below within a period of thirty days from the
date of receipt of the order, be released on bail on



furnishing bail bond of Rs.20,000 (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with P.R. No.01 of 2008-09, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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