

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7759 of 2019

Arising Out of PS. Case No.-173 Year-2018 Thana- BUNIYAD GANJ District- Gaya

Shiv Kumar Son of Churmani Manjhi, Resident of Gopalganj Pandey Lane
Khanjahapur, P.S.- Buniyadganj, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Saxena

For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 11-02-2019 Heard both sides.

The petitioner apprehends his arrest in Buniyadganj
P.S. Case No.173 of 2018 registered under Section 30(a) of the
Bihar Prohibition and Excise Act.

The informant being S.H.O. of Buniyadganj P.S.
intercepted a scooty bearing Registration No.BR02AJ 5047
from which 90 kg mahua flowers was recovered and it is alleged
that two persons fled away.

Learned counsel for the petitioner submits that the
scooty is a two-wheeler vehicle and three bags containing 90 kg
mahua flowers cannot be carried with scooty. The cousin of
petitioner took scooty for shopping in the market and the
petitioner has been made accused only because petitioner
happens to be the owner of the scooty.



Having considered the facts aforesaid, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to 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 Excise Judge, Gaya in connection with Buniyadganj P.S. Case No.173 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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