

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13643 of 2019

Arising Out of PS. Case No.-295 Year-2018 Thana- CHAKIA District- East Champaran

Ram Naresh Prasad Sah @ Ram Naresh Sah @ Naresh Sah Son of Ganesh Sah @ Ganesh Prasad Gupta, Resident of Village - Pratappatti, P.S.- Sahebganj, District – Muzaffarpur Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Singh, Advocate
Mr. Santosh Kumar, Advocate
For the Opposite Party/s : Mr.Meena Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 06-03-2019 Heard both sides.

The petitioner apprehends his arrest in Chakiya P.S.
Case No.295 of 2018 registered under Section 414 of the Indian Penal Code and under Section 30(a) of the Bihar Prohibition and Excise Act.

The police got information that some persons were carrying liquor in a Maruti Car. The police intercepted Maruti Car and one motorcycle. Two persons, namely, Rohit Kumar and Pankaj Kumar were apprehended on chase. 432 bottles each containing 180 ml and 24 bottles each containing 750 ml Royal Stage liquor were recovered. The apprehended accused disclosed the name of the petitioner and others who managed to flee away.

Learned counsel for the petitioner submits that the petitioner has got no criminal antecedent. The owner of the



Maruti Car is Dipak Thakur. The petitioner has no manner of concern with the said Maruti Car or the motorcycle. The apprehended accused on account of some village politics named the petitioner.

Having considered the facts that the petitioner was not apprehended on the spot and nothing has been recovered from possession of the petitioner and the name of petitioner figured in the statement of co-accused who was apprehended on the spot and the petitioner has got no criminal antecedent, 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 7th Additional Sessions Judge-cum-Special Judge, Excise, East Champaran at Motihari in connection with Chakiya P.S. Case No.295 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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