

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58336 of 2019

Arising Out of PS. Case No.-392 Year-2019 Thana- SARAIYA District- Muzaffarpur

Rajesh Ram Son of Nagendra Ram Resident of Village- Pokharaira, O.P.
Jaitpur, P.S.- Saraiyan, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan

For the Opposite Party/s : Mr.Md. Aslam Ansari

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

ORAL ORDER

2 18-09-2019 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with Saraiyan (Jaitpur O.P.) P.S. Case No. 392 of 2019, registered under Section 414/34 of the Indian Penal Code and Section 30(A) of the Bihar Prohibition Act.

The accusation is that in course of patrolling duty, the informant received information about selling of theft white colour Bolero vehicle by Rajesh Ram (petitioner) and Devendra Bhagat, on which, he along with other police personnel reached there and saw that one white colour Bolero vehicle without registration was parked in the mango orchard, in which, three persons were found sitting. Thereafter, on seeing the police party, all three persons started to flee away but on chase, two persons were succeeded to flee away, while



one person was apprehended, who disclosed his name as Devendra Bhagat and also disclosed the name of petitioner as his associate and also admitted that the said Bolero vehicle was theft. On search, 24 bottles each containing 500 ml beer was recovered from the Bolero vehicle, which was carried by the petitioner.

Learned counsel for the petitioner submits that petitioner was not apprehended at the spot but with ulterior motive, co-accused, Devendra Bhagat disclosed the name of this petitioner. Further submission is that 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 six 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 learned Spl. Judge, Excise, Muzaffarpur, in connection with Saraiyan (Jaitpur O.P.) P.S. Case No. 392 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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