IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76104 of 2018

Arising Out of PS. Case No.-60 Year-2018 Thana- MALI District- Aurangabad

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Narendra Kumar Ram @ Nagendra Ram @ Badhaka

... ... Petitioner/s

Versus

The State Of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Leelawati Kumari
For the Opposite Party/s : Smt Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 16-01-2019 Learned counsel for the petitioner is permitted to make necessary correction in paragraph 10 of the petition, as prayed for.

Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 30(a) and 38 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that four litres of country made liqour was recovered from the motorcycle but seeing the police force, the petitioner escaped from the scene.

It is submitted by learned counsel for the petitioner that the petitioner has no connection with the seized motorcycle and statement to that effect has been made in paragraph 10 of the petition which reads as follows:

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"That the seized motorcycle and seized liquor does not belong to the petitioner. Petitioner has falsely been implication in this case by the informant."

Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that at the time of seizure the petitioner escaped from the scene.

Considering the fact that accusation does not suggest seizure from the petitioner, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VII-cum-Special Judge, Excise, Aurangabad in connection with Mali P.S. Case No. 60 of 2018 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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