

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83799 of 2019

Arising Out of PS. Case No.-180 Year-2016 Thana- BAUSI District- Purnia

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Ramjee Lal S/o- Sri Ram Prawesh, Resident of Village- Azad Nagar,
Sunderpur, Road, P.S.- Ekwil, District- Itawa (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar, Advocate

For the Opposite Party/s : Mr.Parmanand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Bausi P.S. Case No. 180 of 2016
(469/2019 Excise), registered for the offence punishable under
Sections 272, 273 of the Indian Penal Code and Sections 30(a),
41 (1) of the Bihar Excise Prohibition Act, 2016.

Allegation has been made that the police has
recovered 1000 liters of spirit from a truck and the petitioner is
said to be the owner of the said truck.

A plea has been taken that the said truck was
already sold by the petitioner to Sachin Kumar in the year 2015
and attached an affidavit by way of Annexure-2.



Looking to the entire facts and circumstances of the case, let the petitioner, above-named, be released on **provisional anticipatory 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 bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the 3rd Additional Sessions Judge-cum-Special Judge, Excise, Purnea in connection with Bausi P.S. Case No.180 of 2016, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This Court directs the court below to hold an enquiry with regard to the genuineness of the documents which has been attached in the present case. If it is found that the petitioner has already sold his truck in the year 2015, in that circumstances, his provisional bail will be confirmed. If, it is found that the petitioner has not sold his truck, in that circumstances, his provisional bail will be treated to have been cancelled.

(Shivaji Pandey, J)

V.K.Pandey/-

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