

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84315 of 2019

Arising Out of PS. Case No.-831 Year-2018 Thana- DEHRI TOWN District- Rohtas

Rakesh Kumar, Son of Ramashankar Singh, Resident of Village- New Diliyan, P.S.- Dehri (T), District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Singh, Advocate

For the Opposite Party/s : Ms.Meena Singh, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 19-12-2019 Learned counsel for the petitioner is filing a supplementary affidavit correcting paragraph 1 of the bail petition, wherein wrong Section had been stated, which was a typographical error. Learned counsel for the petitioner submits that instead of Section 366(a), it ought to have been Section 30(a) of the Excise Act.

The said mistake stands rectified so as to read as Section 30(a) of the Excise Act.

Heard learned counsel for the petitioner and the learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Dehri (Town) P.S. Case No.831 of 2018 registered for the offence punishable under Section 273/120B/34 of the Indian Penal Code and Sections 30(a), 38(i)(ii), 41(i)(ii),



31, 47 of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the alleged recoveries were not from the conscious possession of the petitioner but from the truck which was standing in the campus and not from the Glamour motorcycle of the petitioner. It is further submitted that the petitioner has clean antecedents.

Considering the aforementioned facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-II-Cum-Special Judge, Excise, Rohtas, Sasaram, in connection with Dehri (Town) P.S. Case No.831 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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