

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43662 of 2022

Arising Out of PS. Case No.-128 Year-2016 Thana- JAHANABAD District- Jehanabad

Shayam Sah @ Ravindra Kumar, S/O Late Muni Lal R/O Village- Tekari
Road Tailik Dharmsala, P.S.- Kotwali, District- Gaya

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Mr. Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 414,
272, 273/ 34 of the I.P.C. and Section 47 of the Excise Act and
Section 2(v)3/ 18 of the M. Act.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is
of recovery of 65 jute bags loaded with mahua from a truck.
Further, 03 lakh mahua flowers from an Omni van near
Jehanabad railway crossing.

The learned counsel for the petitioner submits that the
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is next submitted



that petitioner is neither the owner, nor the driver of the alleged vehicle or the truck and his name transpired in the confessional statement of co-accused, which has no evidentiary value.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 2,000/- (Rupees Two Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Jehanabad P. S. Case No.128 of 2016, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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