

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37034 of 2013

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Motilal Yadav Son Of Tulsi Yadav Resident Of Village - Kharauni Birti
Tola, P.S. - Mirganj, District - Gopalganj

.... Petitioner/s

Versus

The State Of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH**
ORAL ORDER

2 24-12-2013 Heard learned counsel for the petitioner as well as

learned counsel for the State.

Petitioner is apprehending his arrest in a case under
sections 272, 273 of the Indian Penal Code and section 47A of
the Excise Act on the allegation of recovery of 1855 pouches of
illicit country made liquor as well as 899 pouches of illicit country
made liquor each containing 400 ml.

Petitioner states the seizure took place at the place of
some other person, seizure list was prepared in absence of
witnesses and signed by the Chaukidar. Petitioner further submits
that the alleged offence is his first offence under this Act and he
has no antecedent and the maximum punishment is of three
months.

The grounds may be taken by the petitioner in regular
bail.

Petitioner Motilal Yadav is directed to surrender and seek regular bail which would be disposed of preferably on the same day on its own merit as well as taking into consideration the aforesaid pleas without prejudice.

Let the order passed in connection with Mirganj Police Station Case No. 256 of 12 be faxed to the court of Chief Judicial Magistrate, Gopalganj at the cost of the petitioner.

Shashi.

(Samarendra Pratap Singh, J)