

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5281 of 2015

Arising Out of Excise Case No. -33 Year- 2014. District- GAYA

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Anil Chaudhary S/O Late Kailash Chaudhary Resident of vill-Bhadeja,P.S-Moffasil,Distt.-Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

3 27-04-2015

Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in a case for the offence punishable under Section 47 (a) (f) of the Excise Act.

The allegation is that petitioner was manufacturing illicit liquor. Thirty quintals of Jawa Mahua and 50 litres of country made wine were recovered from the possession of the petitioner. Further allegation is that the manufacturing place is in the possession of the petitioner.

Learned counsel for the petitioner submits that nothing has been recovered from the possession of the petitioner and he was not present at the place of occurrence.

Learned counsel for the State submits that petitioner has also criminal antecedent of similar nature.

Considering the facts and circumstances of this case, the above-named petitioner is directed to 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 Sri S. K. Chandhariyavi, learned Judicial Magistrate, Gaya/court concerned in Excise Case no. 33 of 2014 ***after framing of charge*** with the following conditions :

1. One of the bailors will be the close relative of the petitioner.
2. The petitioner will not indulge in similar or in any other offence.
3. The petitioner will be well represented in the court.
4. In case of absence for two consecutive dates or in violation of the terms of the bail, his bail bond will be liable to be cancelled by the court concerned.

(Amaresh Kumar Lal, J)

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