

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52134 of 2015

Arising Out of PS.Case No. -246 Year- 2015 Thana -NOORSARAI District- NALANDA
(BIHARSHARIFF)

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Shiv Kumar Chauhan son of Late Janki Chauhan, resident of village
Beldariya, P.S. Noorsarai, Nalanda

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad

For the Opposite Party/s : Mr. Madhuri Lata(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 15-12-2015 Heard counsel for the petitioner and the State.

The petitioner prays for bail in Noorsarai P.S. Case No. 246 of 2015 registered under diverse penal provisions of IPC read with section 47(A) & (F) of the Excise Act. The Police Officer lodged the case on self statement alleging that the hut of the petitioner was searched and 40 litres of illicit liquor was recovered.

The contention of the petitioner is that he has no criminal antecedent and is languishing in jail since 18.09.2015. This is the first allegation of the present nature lodged against the petitioner. The signature of the petitioner was not obtained on the seizure memo by the prosecution which creates doubt about the actual seizure from the place as alleged by the prosecution.

Considering the above, I direct release of the petitioner above named on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of CJM, Nalanda at Bihar Sharif in Noorsarai P.S. Case No. 246 of 2015 on condition that one of the bailors shall be his own/close family member. In the event of framing of charge, the petitioner shall appear in person on each date fixed at the trial. Failure in appearance on two consecutive dates, shall lead to cancellation of his bail bonds.

(Kishore Kumar Mandal, J)

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