

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42134 of 2015

Arising Out of PS.Case No. -42 Year- 2015 Thana -SEMRA District-
WESTCHAMPARAN(BETTIAH)

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Prem Yadav Son of Uma Yadav Resident of Village- Serhwa, Police Station
Ramnagar, District West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Zainul Abedin

For the Opposite Party/s : Mr. Harendra Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

3 09-10-2015 Heard the learned counsel for the petitioner, Prem Yadav, who apprehends his arrest in Semra P.S. Case No.42 of 2015 registered for the offence punishable under Sections 273, 290 IPC and 47 of the Excise Act. Heard the learned A.P.P. also.

According to the prosecution case although the petitioner's licence was cancelled on 01.07.2015, the staff of the petitioner was found selling the liquor at 9 P.M. on 28.08.2015 and when the informant raided the shop, the staffs fled away.

The learned counsel for the petitioner submitted that in fact the petitioner has already applied for renewal of his licence and in fact on the date of occurrence, the petitioner was not present at the

spot. The petitioner has been falsely implicated in the case.

Considering the nature of allegation that after cancellation of the licence, the liquor were being sold from the shop of the petitioner, I direct the petitioner, named above, to surrender before the Court below within six weeks from today and on his so surrendering, the Court below is directed to release him on bail on furnishing bail bond of Rs.5,000/- (Five Thousand only) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bagaha, West Champaran in connection with Semra P.S. Case No.42 of 2015, subject to condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Mungeshwar Sahoo, J)

Sanjeev/-

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