

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 42978 of 2016

Arising Out of PS.Case No. -39 Year- 2016 Thana -KHIZERSARAI District- GAYA

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Barat Choudhay @ Bharat Choudhary Son of Hari Narayan Choudhary
Resident of Village-Saidpur (Purani Bazar), P.S.- Khizersarai, District-Gaya

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan Singh
Mr. Satya Veer

For the Opposite Party/s : Smt. Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 18-10-2016

Heard Sri Rajeev Ranjan Singh, learned counsel, who was assisted by Sri Satya Veer, learned counsel for the petitioner and Smt. Anita Kumari, learned Addl. Public Prosecutor.

The sole petitioner, who is in custody since 27-06-2016 in Khizersarai P.S. Case No. 39 of 2016 registered for offence under Sections 47(A), 13(F), 48 of Excise Act and under Section 2(F), 3, 5(B), 18 of Bihar Mahua Fule Act (correctly Bihar Mahua Flower Rules, 2006), has prayed for grant of bail.

It was submitted by learned counsel for the petitioner that on false accusation of recovery of about 20 litres of Mahua liquors and some bags of Mahua flowers, petitioner has been implicated and he has been detained. The petitioner is having clean antecedent, which fact has been stated in paragraph – 3 of

the petition.

Learned Addl. Public Prosecutor has vehemently opposed the prayer for grant of bail.

Keeping in view the nature of accusation, period of custody and clean antecedent of the petitioner, let the petitioner namely Barat Choudhay @ Bharat Choudhary be enlarged on bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate - III, Gaya in connection with Khizersarai P.S. Case No. 39 of 2016.

(Rakesh Kumar, J.)

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