

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34059 of 2016

Arising Out of PS.Case No. -138 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-
BHAGALPUR

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Gyaneshwar Sah @ Gyani Sah, Son of Sri Deodar Sah, resident of Station
Road, Sultanganj, Police Station- Sultanganj District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate.

For the Opposite Party/s : Mr. Sri Chandra Bhushan Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 26-08-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with

P.S. Case No. 138 of 2016 registered under Section 47(e) of the

Bihar Excise Act.

The accusation is of recovery of 18 bags Mahua

flower from the house of the petitioner in weighing of 700 KG.

Learned counsel for the petitioner submits that

petitioner has falsely been implicated in this case due to ulterior

motive. It is further submitted that it would appear from the F.I.R.

that no any apparatus was found in the house of the petitioner used

for preparing the illicit liquor and the petitioner has no criminal

antecedent.

Considering the aforesaid submissions, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhagalpur in connection with P.S. Case No. 138 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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