

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50966 of 2016

Arising Out of PS.Case No. -125 Year- 2016 Thana -KASIMBAZAR District- MUNGER

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1. Malta Yadav Son of Sudho yadav Resident of Village: Navtolia, P.S :
Kasim Bazar, District : Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr. Sri Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 19-12-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner is apprehending his arrest in a case registered for
offences punishable under Section 47 of the Bihar Excise
Amendment Act, 2016.

Allegation against the petitioner is of recovery of 330
bottles (each containing 750 ML) foreign liquor and 350 bottles
(each containing 350 ML) foreign liquor.

It has been submitted on behalf of the petitioner that
whatever has been recovered that has been recovered from the
field of one Sudho Yadav and petitioner has nothing to do with the
said recovery and he has been falsely implicated in the present
case due to enmity.



Heard learned A.P.P. also.

Having heard both sides and in view of the fact that the alleged recovery has not been made from the petitioner, rather the same has been recovered from the field of one Sudho Yadav, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within a period six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, District- Munger, in connection with Kashim Bazar P.S. Case No. 125 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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