

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54289 of 2016

Arising Out of PS.Case No. -222 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-
KHAGARIA

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Amit Kumar Yadav, Son of Lalbahadur Yadav, Resident of Village-
Ladaura, P.S. Alauli, District- Khagaria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bhim Kumar Yadav

For the Opposite Party/s : Mr. Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 22-12-2016 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Excise Case No. 222C3 of 2016, registered under Section 47A of the
Excise Act.

The accusation is that 14 pieces of illicit country made
liquor each containing 400 ML and one bottle containing 375 ML
illicit country made liquor were recovered in a plastic bag to the filed
situated near the courtyard of petitioner and his father Lal Bahadur
Yadav.

Learned counsel for the petitioner submits that it would
appear from the F.I.R. that the said illicit country made liquor was not
recovered from the house of the petitioner, rather the same was
recovered from open space. Further submission is that, in fact, at the



time of the occurrence, the petitioner was outside of the State for livelihood and his father Lal Bahadur Yadav was present, who was apprehended by the Police. Further submission is that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four 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, Khagaria in connection with Excise Case No. 222C3 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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