

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4034 of 2016

Arising Out of PS.Case No. -404 Year- 2015 Thana -AURANGABAD TOWN District-
AURANGABAD

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Binod Yadav son of Shyam Babu Prasad, resident of Village- Dharaichak,
Police Station- Janipur, District- Patna (Bihar).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Shantanu Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 09-02-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

35 quintals mahua flowers are said to have been

recovered from a pickup van which was being driven by the

petitioner at the time of alleged recovery.

The contention on behalf of the petitioner is that

Section 414 of the Indian Penal Code is not applicable in this case

and so far as the offences of Mahua Flower Act are concerned, the

maximum punishment is only up to two years. Moreover,

petitioner does not have any criminal antecedent and is

languishing in jail custody since 26.09.2015.

Considering the aforesaid facts and circumstances as

well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Aurangabad in connection with Town (Aurangabad) P.S. Case No. 404 of 2015.

(Hemant Kumar Srivastava, J)

SHAHZAD/-

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