

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8340 of 2016

Arising Out of PS.Case No. -8 Year- 2011 Thana -GOVERNMENT OFFICIAL COMP. District-
NAWADA

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Pandit Rajbanshi, Son of Gondar Rajbanshi, Resident of Village- Rajar, P.S.
Sirdalla, District Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate

For the Opposite Party/s : Mr. Smt. Rina Sinha(APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 12-05-2016 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner apprehends arrest in connection with

Nawada Excise Case No. 08/11 for offence alleged under Section

47-A of the Indian Penal Code.

The prosecution case, as lodged by the informant,

is that he along with other police personnel raided the illegal place

of manufacturing illicit liquor of the petitioner and recovered 100

litres of illicit *mahua* liquor and 1000 kg. *jawa mahua* and,

accordingly, seizure-list was prepared.

It has been submitted by the learned counsel for

the petitioner that he is innocent having committed no offence and

nothing has been recovered from his conscious possession. He

further submits that 1000 kg. *jawa mahua*, which was kept in 5 plastic bags underground, has been destroyed while taking out, hence, the exact quantity cannot be ascertained. He further submits that petitioner has no criminal antecedent and being the first offender be granted the privilege of anticipatory bail.

However, learned APP for the State submits that petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of eight weeks from today, be released 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 Judicial Magistrate 1st Class, Nawada, in connection with Nawada Excise Case No. 08/11, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Rajesh/-

(Nilu Agrawal, J.)

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