

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39347 of 2016

Arising Out of PS.Case No. -70 Year- 2016 Thana -FATEHPUR District- GAYA

Suresh Yadav Son of Late Ramdeo Yadav Resident of Village-Tegaini,
P.S.-Fatehpur, District-Gaya

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Satyendra Prasad Singh, Advocate
For the Opposite Party : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 04-10-2016 Heard both sides.

The petitioner apprehends his arrest in Fatehpur P.S.Case No.70 of 2016 under Sections 272, 273 and 34 of the IPC and Section 47A(F) of the Excise Act.

The informant alleged that he got secret information that in village-Dundu Surendra Yadav and Upendra Yadav are indulged in preparing country made liquor and selling the same. Similarly, the informant also got information that Ramdeo Yadav, Shitan Yadav and Suresh Yadav, the petitioner, are indulged in manufacturing country made liquor and selling the same in the field of Dundu village.

Learned counsel for the petitioner submits that the petitioner has got no criminal antecedent. The petitioner is not

at all involved in manufacturing of country made liquor. Seizure list is prepared and none of the witnesses of village-Dundu is the witness of seizure list nor the witnesses of the village-Dundu were examined. There is no material to show that the petitioner was preparing country made liquor in a lonely field of village-Dundu.

Considering the aforesaid facts, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of ACJM-X, Gaya in connection with Fatehpur P.S.Case No.70 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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