

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 40883 of 2016

Arising Out of PS.Case No. -183 Year- 2016 Thana -FATEHPUR District- GAYA

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Shiva Choudhary Son of Late Jagdish Choudhary resident of Village-
Badgaon, P.S.- Fatehpur, District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sheikh Arkan Ahmad

For the Opposite Party/s : Smt. Asha Devi

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 24-10-2016 Heard Mr. Sheikh Arkan Ahmad, learned counsel for
the petitioner and Smt. Asha Devi, learned Addl. Public
Prosecutor.

The sole petitioner, who is in custody since
09-07-2016 in Fatehpur P.S. Case No. 183 of 2016 registered for
offence under Sections 272, 273, 34 of the Indian Penal Code,
Section 47(A) (G) of Bihar Excise (Amendment) Act, 2016 and
Sections 3, 5, 18 of Mahua Ful Act (corrected Bihar Mahua
Flower Rules, 2006), has prayed for grant of bail.

It was submitted by learned counsel for the petitioner
that petitioner was falsely implicated in the present case and he is
in custody since long.

Learned Addl. Public Prosecutor, by way of referring

to case diary, submits that from the premises of the petitioner about 72 litres of country made liquor was recovered. Besides country-made liquor, some bags of mahua flowers were also recovered.

However, considering the nature of accusation, period of custody and clean antecedent of the petitioner, which has been stated in paragraph – 3 of the petition, let the petitioner namely Shiva Choudhary 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 learned Chief Judicial Magistrate, Gaya in connection with Fatehpur P.S. Case No. 183 of 2016.

(Rakesh Kumar, J.)

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