

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25579 of 2016

Arising Out of PS.Case No. -86 Year- 2016 Thana -MAGADH MEDICAL COLLEGE District-
GAYA

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1. Varun Yadav @ Barun Yadav son of Late Ram Chandra Yadav resident
of Village Gopibigha, P.S. Magadh Medical, District- Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Durgesh Nandan

For the Opposite Party/s : Mr. Sri Anil Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH**
ORAL ORDER

3 01-07-2016 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in a case under
Sections 47(a)(g) and 57(1) of the Bihar Excise Amendment Act,
2016.

Learned counsel for the petitioner submits that the liquor
was not recovered from his possession. There is no allegation that
he was either selling or consuming the same. He further denied
that the liquor which was recovered from the house of accused
Deorajeet Yadav belongs to him. He has been implicated on
account of village politics. He thus submits that no offence has
been committed by him under the provisions of the Bihar Excise
Act. In support of his submissions, the petitioner has relied upon

order dated 24.5.2016 passed in Criminal Misc. No.22962 of 2016 (Rama Shankar Tiwary Vs State of Bihar) and order dated 6.6.2016 passed in Criminal Misc. No.24745 of 2016 (Smt. Manorama Devi Vs state of Bihar).

Considering the facts and circumstances of the case, the petitioner Varun Yadav @ Barun Yadav is directed to be released on anticipatory bail, in the event of his arrest/surrender, in connection with Magadh Medical P.S. Case No.86 of 2016, on furnishing bail bond of Rs.5,000/- with two sureties of the like amount each to the satisfaction of the A.C.J.M. IVth, Gaya.

(Samarendra Pratap Singh, J)

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