

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34986 of 2016

Arising Out of PS.Case No. -7 Year- 2016 Thana -MAIGRA District- GAYA

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Shankar Yadav, Son of Siva Yadav @ Siya Yadav, Resident of Village-
Chandriya, P.S- Maigra, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 07-09-2016 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner apprehends arrest in connection with

Maigra P.S. Case No. 07/16 for offences alleged under Sections

272, 273, 290 of the Indian Penal Code and under Section 47(A)

of the Excise Act.

The prosecution case is that on confidential

information the police raided the manufacturing premises of other

persons and recovered huge quantity of country-made liquor and

apparatus as well as after going at certain distance found the

petitioner also indulging in manufacturing of country-made liquor

and 80 litres of country-made liquor along with other apparatus

were also seized from the petitioner.

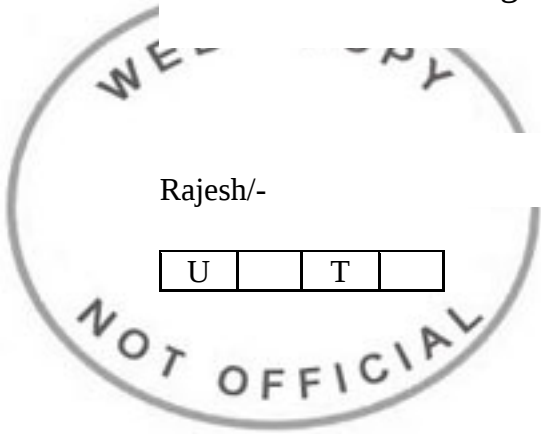


It has been submitted by the learned counsel for the petitioner that he was not present at the place of occurrence and only the local villagers named him. He submits that the petitioner is not involved in manufacturing of illicit country-made liquor; rather he does his private job. He further submits that because of village politics and little quantity of country-made liquor, allegedly belonging to him, he has falsely been implicated in the aforesaid case and that he has no criminal antecedent, as is evident from paragraph 3 of this petition.

However, learned APP for the State submits that the 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 Sri G.N. Dubey, Judicial Magistrate, 1st Class, Sherghati, Gaya, in connection with Maigra P.S. Case No. 07/16, subject to the conditions as laid down under Section 438(2) Cr.P.C. However, it is made clear that the petitioner will cooperate with the investigation and appear before the police/ court as and when

required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.



(Nilu Agrawal, J.)