

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12949 of 2016

Arising Out of PS.Case No. -274 Year- 2015 Thana -GOVERNMENT OFFICIAL COMP. District-
NAWADA

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1. Mahendra Chaudhary S/o Pyare Chaudhary resident of village/Mohalla -
Chamotha, P.S. Sirdala, District - Nawada

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj

For the Opposite Party/s : Mr. M. Dayal (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 07-04-2016 Heard the Counsel for the petitioner and Mr. Dayal,

APP for the State.

Petitioner is facing accusations punishable under
section 47(A) of the Excise Act.

On search, 10 litres of country made wine as well as
300 kg. Jawa Mahua are said to have been recovered. In the
process of recovery, Jawa Mahua got destroyed.

Contention of the petitioner is that it is a common
house where the recovery was made. He has no previous recorded
antecedent of the case of this nature.

In the facts and circumstances of the case, in the event
of arrest or surrender in the Court below within four weeks, the
petitioner abovenamed is directed to be released on anticipatory
bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with

two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Nawada in G.O. (Excise) Case No. 274 of 2015 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

Pankaj/-

(Kishore Kumar Mandal, J)

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