

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.27679 of 2016**

Arising Out of PS.Case No. -40 Year- 2016 Thana -MAHKAR District- GAYA

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1. Manoj Choudhary Son of Lallu Choudhary Resident of village - Kudwa,  
P.S. Mahakar, District - Gaya

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Satya Veer

For the Opposite Party/s : Mr. Sri Arun Kumar Singh -5

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

2      11-08-2016      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with a  
case registered for the offences punishable under Sections 47 of  
the Revised Excise Act, 2016.

The allegation against the petitioner is that from his house, 4  
gallons of 15 litres each of Mahua wine was found buried in his  
premises.

Learned counsel for the petitioner submits that at the time of  
the raid, the petitioner was not present in the house. Furthermore,  
there was no independent witness to support the case and not a  
single housemate has been made signatory to the seizure-list.

Considering all facts and circumstances and that the  
petitioner was not present in his house at the time of raid and no

housemate has been made a witness in the recovery and also because the petitioner has no criminal antecedent, let the petitioner, in the event of his arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Mahakar P.S. Case No. 40/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

**(Anjana Mishra, J)**

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