

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39840 of 2016

Arising Out of PS.Case No. -302 Year- 2016 Thana -GAYA MUFFSIL District- GAYA

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1. Awadhesh Yadav son of Late Balram Yadav resident of village- Kaiya,
P.S.- Mufassil (Gaya), District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sourendra Pandey

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 19-09-2016 Heard both sides.

The petitioner apprehends his arrest in Muffasil P.S.
case No. 302 of 2016 under Section 47(a) of the Bihar Excise
Amendment Act, 2016.

The police intercepted a motor cycle on which two
persons were riding. One person fell down from the motor cycle
from whose possession 3.25 liters of country made liquor made of
Mahua was recovered. The driver of the motor cycle fled away.
Pappu Yadav, the apprehended accused, disclosed the name of the
petitioner.

The learned counsel for the petitioner submits that
nothing has been recovered from the possession of the petitioner.
The petitioner had no knowledge about the fact that pillion rider,

Pappu Yadav, was carrying any liquor.

Considering the fact that nothing has been recovered from the possession of the petitioner and meager amount of 3.25 liters of country made liquor was recovered from Pappu Yadav, who was pillion rider, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to 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 the learned Chief Judicial Magistrate, Gaya in Muffasil P.S. Case No. 302 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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