

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23837 of 2016

Arising Out of PS.Case No. -27 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-
PATNA

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Muneshwar Choudhary S/o Late Mahendra Choudhary, aged about 76
years, Resident of Village- Nawada Khurd, Sudullahpur, P.S.- Ganga
Bridge, Hajipur, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha

For the Opposite Party/s : Mr. P.N Parit (APP)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 31-05-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in
connection with C.B. Case No. 27 of 2016 registered for offences
under sections 47(A) of the Excise Act.

As per First Information Report, the police has
intercepted the petitioner who was carrying with him 90 liters of
toddy on bicycle.

Learned counsel for the petitioner has submitted that
he is a man of 76 years of age and it is not possible for the
petitioner, who is at his advance age, to carry 90 litres of toddy in
the bicycle.

Looking to the nature of allegation, let the petitioner, namely, Muneshwar Choudhary, 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 learned Additional Chief Judicial Magistrate, Patna City in connection with C.B. Case No. 27 of 2016, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioner would cooperate the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds.

(Shivaji Pandey, J)

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