

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48364 of 2015

Arising Out of PS.Case No. -100 Year- 2015 Thana -BUNIADGANJ District- GAYA

Manoj Chaudhary @ Manoj Choudhary Son of Buta Chaudhary, Resident
of Village - Shekha Bigha, Police Station - Buniyadganj and District - Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-02-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 272 and 273 of the Indian Penal Code and Section 47A of the Excise Act.

Allegation against the petitioner is that 10 litres of Mahua liquor has been recovered from him .

It is submitted on behalf of the petitioner that he has been made accused due to mistake of fact. As per prosecution case, 10 litres of Mahua liquor is said to have been recovered. There is no recovery from conscious possession of the petitioner. It is further submitted that petitioner is ready to deposit an amount of Rs.25,000/- in the court below which shall be subject to final disposal of the case.

On behalf of the State, it is submitted that petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, It is directed that petitioner shall deposit an amount of Rs.25,000/- in the court below which shall be subject to final disposal of the case.

Let the above named petitioner, in the event of arrest or

surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate,Gaya, in connection with Buniyadganj P.S. Case no. 100 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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