

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52837 of 2016

Arising Out of PS.Case No. -98 Year- 2016 Thana -MAGADH MEDICAL COLLEGE District-
GAYA

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Rajesh Chaudhary @ Pintu Chaudhary @ Agho Chaudhary Son of Late
Dona Chaudhari, Resident of Village - Vinoba Nagar, P.S. - Magadh
Medical, District - Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa

For the Opposite Party/s : Mr. Sri Rajeev Nayan

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

2 07-12-2016 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Magadh Medical P.S. Case No. 98 of 2016 registered under
Sections 47(a) (e) of the Bihar Excise Amendment Act.

The accusation is that in course of raid of joint house
of the petitioner and his brother Kamlesh Chaudhary, 10 liters of
country-made liquor and some instruments for preparing the
country-made liquor recovered.

Learned counsel appearing on behalf of the
petitioner submits that it would appear from the F.I.R. that the
petitioner was not apprehended by the Police on the spot at the



time of raid of the alleged house. In fact, the petitioner is a truck driver and used to reside in Jharkhand. Further, submission is that petitioner has also a valid license issued from the District Transport Officer, Latehar, Jharkhand and petitioner has no criminal antecedent.

Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the C.J.M., Gaya in connection with Magadh Medical P.S. Case no. 98 of 2016, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Rajendra Kumar Mishra, J)

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