

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.5612 of 2017**

Arising Out of PS.Case No. -241 Year- 2016 Thana -WAJIRGANJ District- GAYA

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Naresh Choudhary Son of Gatani Choudhary, Resident of Village-  
Mohamadpur (Tankuppa), P.S. Wazirganj in the District of Gaya.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Braj Nandan Kumar Tiwary

For the Opposite Party/s : Mr. Manoj Kumar - 1

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      02-03-2017      Learned counsel for the petitioner seeks permission to  
withdraw the present application with liberty to prefer a regular  
bail in the light of Section 76(2) of the new amended Excise Act.

Permission is accorded.

The present application, is accordingly, dismissed as  
withdrawn, in connection with Wazirganj (Tankuppa) P.S. Case  
No. 241 of 2016.

Anyhow if the petitioner surrenders in the court below  
within a period of six weeks from today, the same shall be  
considered, preferably on the same day on its own merit without  
being prejudiced by this order, taking into account that only 10  
liters of country made wine is said to have been recovered from  
the possession of the petitioner.

**(Sudhir Singh, J)**

Amit/-

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