

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9034 of 2017

Arising Out of PS.Case No. -36 Year- 2010 Thana -GOVERNMENT OFFICIAL COMP. District-
JEHANABAD

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Shiv Bachan Yadav, son of Late Lal Kishun Yadav, resident of Village :
Dhuri Bigha, P.S. : Kalpa O.P., District : Jehanabad.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Surendra Kumar Mishra, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 16-03-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Section 47A of the Excise Act registered in connection with Excise Case No. 36 of 2010.

3. It is submitted that the petitioner has been falsely implicated and in any event *Jawa Mahua* flower are not goods covered under the provisions of the Bihar Excise Act. Even otherwise, out of the alleged 600 Kg. of *Jawa Mahua* found, nothing has been seized. The *Jawa Mahua* flower along with 5 litres of illicit country made wine are said to have recovered from adda out of the village with which the petitioner has no concern. Petitioner is a person of advanced age of about 70 years with clean



antecedents.

4. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Jehanabad in connection with Excise Case No. 36 of 2010.

(Vikash Jain, J)

Md. Ibrarul/psc

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