

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51369 of 2017

Arising Out of PS.Case No. -259 Year- 2017 Thana -GAYA MUFFSIL District- GAYA

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Pappu Chaudhary son of Naresh Chaudhary, resident of village Agni, P.S. Cherki, District-Gaya at present residing at Gandhi Nagar, P.S. Muffasil, District-Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishore Prasad

For the Opposite Party/s : Mr. Sri Ram Anurag Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 01-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Muffasil P.S.
Case No.259 of 2017 for offences punishable under Sections 30(a)
of the Bihar Prohibition & Excise Act.

The prosecution case, as lodged by the police
personnel, is that on secret information the house of the petitioner
was raided and from the house 25 litres of Mahua wine was
recovered in two containers. Accordingly, a seizure list was
prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has been falsely implicated in the
aforesaid case. He submits that nothing has been recovered from



his conscious possession and he is languishing in judicial custody since 29.08.2017.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged 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 Special Judge Excise, Gaya in connection with Muffasil P.S. Case No. 259 of 2017, subject to the conditions that :

- (i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (ii) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

Devendra/-

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