

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34215 of 2019

Arising Out of PS. Case No.-79 Year-2019 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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MANGAL CHAUDHARY @RANJIT CHAUDHARY S/o Late Sarjug
Resident of Village- Khiriyawan Kumhartoli, P.S.- Magadh Medical, District-
Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Vinod Kumar, Advocate

For the Opposite Party : Asha Kumari, Addl Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-05-2019 Heard learned counsel for the petitioner as well as

learned counsel for the State.

Petitioner apprehends arrest in a case registered for
the offences punishable under Section 30(a)(d) of the Bihar
Excise Amendment Act, 2016.

There is allegation of recovery of 2 liters of Mahua
Flower from the house of the petitioner.

Learned counsel for the petitioner seriously disputes
the search and seizure which has not been conducted as per the
mandatory provisions under section 100 of the Cr.P.C. He
submits that recovery is from a joint house of the family and not
from the conscious possession of the petitioner. Petitioner has
no criminal antecedent.



Considering the facts of the case, let the petitioner, above named, in the event of arrest/surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Special Excise Judge, Gaya/Court in seisin of Magadh Medical Police Station Case No. 79 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully co-operate with the investigation and trial of the case, failing which the Court below shall be at liberty to cancel the bail bond of the petitioner.

(Prabhat Kumar Singh, J)

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