



IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49383 of 2015

Arising Out of PS.Case No. -44 Year- 2015 Thana -CHOUTARWA
District- WEST CHAMPARAN (BETTIAH)

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1. Binod Prasad @ Binod Prasad Jaiswal, Son of Late Suraj Sah @ Late Suraj Prasad Jaiswal, Resident of Mauja Tola Patitar, P.S. - Chautarwa, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1, Adv.

For the Opposite Party/s : Mrs. Madhuri Lata (A.P.P.)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 24-11-2015 Heard learned counsel for the petitioner and learned Assistant Public Prosecutor for the State.

 This application for grant of regular bail arises out of Chautarwa P.S. Case No.44 of 2015, disclosing offences under Section 273 of the Indian Penal Code and Section 47 of the Excise Act.

 The premises from where 200 ml. of spirit and certain other materials, which could have been used for

preparation of country made liquor, have been recovered, are said to be belonging to the petitioner. It is the petitioner's case that the said premises were given on rent to one Rama Shankar Ram, who was arrested from the place of occurrence.

Learned counsel, appearing on behalf of the petitioner, submits that the petitioner is in custody since 07.09.2015 and this is the first case, under Section 47 (a) of the Bihar Excise Act, in which he has been made an accused.

Considering the submission, as above, this application is allowed. The petitioner, abovenamed, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **learned Additional Chief Judicial Magistrate, Bagaha, Distt.- West Champaran**, in connection with **Chautarwa P.S. Case No.44 of 2015**.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required, and in the event of failure on his part to appear before the Court, on two consecutive occasions, his bail bond shall be liable to be cancelled.

This is further subject to the condition that if the petitioner is found engaged in similar offence in future, the prosecution shall be at liberty to approach this Court for cancellation of bail granted to him by virtue of the present order.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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