

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1727 of 2015

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1. Ram Gulam Mukhiya, son of Shiban Mukhiya, resident of village -
Jafra, P.S. - Bisfi, District - Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate

For the Opposite Party/s : Mr. P. N. Pandit, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

3/ 23-01-2015

Defect(s) ignored.

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends his arrest in a case
instituted for the offence under Section(s) 47-A of the Excise
Act.

Considering that the alleged liquor was not found in
the personal possession of the Petitioner, who has fair
antecedents, it is ordered that in the event of surrender/arrest of
the Petitioner, named above, within four weeks from the date of
receipt/production of a copy of this order in connection with T.R.
No.4175 of 2013, he shall be released on anticipatory bail on
furnishing bail bond of ₹5,000/- (five thousand) with two sureties
of the like amount each or any other surety to be fixed by the
court below to the satisfaction of Sri Subir Kumar, Judicial
Magistrate, 1st class, Madhubani, subject to the conditions as laid

down under section 438(2) Cr. P. C. and (i) That one of the bailors will be a close relative of the Petitioner, who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailors will undertake to furnish information to the court about any change in the address of the Petitioner, (ii) That the affidavit shall clearly state that the Petitioner is not an accused in any other case and, if he is, he shall not be released on bail, (iii) That the bailors shall also state on affidavit that they will inform the court concerned if the Petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse, (iv) That the Petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse, and (v) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

JA/-

(Anjana Prakash, J)

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