

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39286 of 2015

Arising Out of PS.Case No. -178 Year- 2015 Thana -MASRAKH District- SARAN

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Sunil Singh S/o Late Ram Vilash Singh resident of village- Gangauli, P.S. Mashrakh, District- Saran at Chapra.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 28-09-2015 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Mashrakh P.S. Case No. 178 of 2015, disclosing offences under Section 47(a) of the Excise Act.

This is an admitted fact that recovery of 250 litres of raw spirit was made from the premises, which does not belong to the petitioner.

Learned counsel for the petitioner submits that apart from the fact that he has no criminal antecedent, there is no cogent basis to implicate him in the present case.

Considering the said submission made on behalf of the petitioner, this application is allowed.

Let the petitioner, above-named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Saran at Chapra in connection with Mashrakh P.S. Case No. 178 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

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 bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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