

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.42537 of 2014**

Arising Out of PS.Case No. -35 Year- 2013 Thana -KALYANPUR District- SAMASTIPUR

1. Ram Babu Kunwar Son of Late Mahendra Kunwar Resident of Village-  
Ladaura, P.S.- Kalyanpur, District- Samastipur.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ranjan Kumar

For the Opposite Party/s : Mr. Satyendra Nr.Singh(App)

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI**  
**SHARAN SINGH**  
**ORAL ORDER**

2      16-04-2015      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor appearing on behalf of the State.

This is an application seeking anticipatory bail in a  
case registered for the offences punishable under sections 447 and  
380 of the Indian Penal Code.

From the prosecution case, it appears that a case under  
section 57(a) of the Bihar Excise Act, 1915 came to be instituted  
against the petitioner as he was found carrying 18 bottles of  
foreign wine in the dicky of his motor cycle with respect to  
which Kalyanpur PS case No. 34/2013 was instituted. It is alleged  
that the petitioner's motor cycle was also seized but the petitioner  
fled away with the motor cycle from the police station in the night.

Learned counsel for the petitioner submits that, as a

matter of fact, the petitioner's motor cycle was not seized and the petitioner has been granted privilege of anticipatory bail in the said Kalyanpur PS case No. 34/2013.

Keeping in view the submission, the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be released on bail on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur in Kalyanpur PS case No. 35/2013, subject to condition as laid down u/s 438(2) of the Code of Criminal Procedure.

**(Chakradhari Sharan Singh, J)**

BKS/-

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