

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20924 of 2015

Arising Out of PS.Case No. -10 Year- 2015 Thana -KALER District- JEHANABAD

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1. Birendra Kumar. Son of Shri Shankar Prasad. Resident of Village -
Balapar, P.S.- Haspura, District - Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ganga Prasad Bimal

For the Opposite Party/s : Mr. Rajendra Singh Shastrijee (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 07-07-2015 Heard Mr. Ganga Prasad Bimal for the petitioner and Mr.
Shastri, APP for the State.

Apprehending his arrest in connection with Kaler P.S. Case
No. 10 of 2015 registered under Sections of 272, 273 and 188 of
the Indian Penal Code and Section 47A of the Excise Act,
petitioner moved this Court for grant of anticipatory bail.

Allegation is that he was found selling country made liquor
as well as foreign made liquor on the day of Holi after putting the
shutter down.

Contention of the petitioner is that he is licensee of both the
country made liquor and the foreign made liquor. If there is any
condition under the licence prohibiting sale on the day of Holi, the
course was open to cancel the licence. For ulterior reasons, the
F.I.R. has been lodged. He has no criminal antecedent.

Considering the above, I direct that in the event of arrest or surrender in the Court below within four weeks, the petitioner abovenamed is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in Kaler P.S. Case No. 10 of 2015 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) No sooner the charges are framed, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

Pankaj/-

(Kishore Kumar Mandal, J)

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