

Criminal Miscellaneous No.24110 of 2016

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.... Petitioner/s

1. The State of Bihar.

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For the Petitioner/s : Mr. Krishna Deo Raj

For the Opposite Party/s : Mrs. Asha Devi (App)

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ORAL ORDER

Heard the parties.

This application, for grant of anticipatory bail, arises out of G.O. (Excise) Case No.517 of 2015, disclosing offences under Section 47(a) of the Bihar Excise Act.



The petitioner has no criminal antecedent and it is, accordingly, submitted by learned counsel, appearing on behalf of the petitioner, that he for the first time has been made an accused in a case registered for the offence punishable under Section 47(a) of the Excise Act. It has further been submitted that there is nothing to show that the place, from where the illicit country made liquor was recovered, is owned by the petitioner or is, otherwise, in his occupation. It has also been submitted that the prosecution report does not disclose the place from where the seizure has been made.

In view of the submission, as above, 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 bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **learned Judicial Magistrate, Ist Class, Nawada**, in connection with **G.O. (Excise) Case No.517 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, above named, 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.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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