

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5944 of 2016

Arising Out of PS.Case No. -226 Year- 2015 Thana -TARAIYA District- SARAN

1. Ajay Manjhi Son of Dular Chand Manjhi Resident of Village Galimapur,
Ps Taraiya, District Saran, Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. A.M.P.Mehta(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 23-02-2016 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Taraiya Police Station Case No. 226 of 2015,
disclosing offences under Sections 272, 273 and 290 of the
Indian Penal Code and Section 47(a) of the Excise Act.

On the basis of an information, police conducted
raid in the house of the petitioner, from where 70 litres of
spirit was seized.

It is submitted on behalf of the petitioner that
recovery of the spirit cannot be said to have been from the
conscious possession of the petitioner as there are, at least,
eight adult members in the family of the petitioner, who

live in the same house. He further submits that the petitioner has no criminal antecedent.

In view of the submission, as above, this application is allowed.

Let the petitioner, Ajay Manjhi, 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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate IX, Saran, Chapra, in connection with Taraiya Police Station Case No. 226 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 same 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.)

Prabhakar Anand/-

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