

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7914 of 2016

Arising Out of PS.Case No. -407 Year- 2015 Thana -BARACHATTI District- GAYA

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Shiv Nandan Sao Son of Late Mahaveer Sao resident of village - Pathulwa,
P.S. Barachatti (Mohanpur), District - Gaya

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. Satyavrat Verma(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 06-04-2016 Heard learned counsel, appearing on behalf of the

petitioner, and the learned Addl. Public Prosecutor, appearing on

behalf of the State.

 This application for grant of anticipatory bail arises out
of Barachatti (Mohanpur) P.S.Case No. 407/2015, disclosing
offences under sections 2(E), 3, 5(D), 18 of the Mahua Flower Act
and 47(f), 13(f) and 48 of the Excise Act.

 Allegedly 20 bags of Mahua, each containing 50 Kgs.,
were recovered from the house of the petitioner. With the
allegation that the petitioner was involved in preparing liquor by
using Mahua, the present First Information Report has been
instituted.

 Learned counsel, appearing on behalf of the petitioner, has
submitted that the petitioner lives in jointness with other members

of the family. He further submits that this is for the first time that the petitioner has been implicated in a case under the Bihar Excise Act. It is submitted that the petitioner shall not cause any obstruction in investigation or trial by remaining absent or otherwise, if he is granted privilege of anticipatory bail.

Considering the above, this application is allowed.

Let the petitioner, abovenamed, in the event of his arrest/ surrender before the court below within six weeks from today, 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 the A.C.J.M., Sherghati at Gaya in Barachatti (Mohanpur) P.S.Case No. 407/2015, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

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)

Surendra/-

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