

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 13197 of 2016

Arising out of P.S. Case No. -7 Year- 2016 Thana -
GOVERNMENT OFFICIAL COMP. District- EASTCHAMPARAN
(MOTIHARI)

- =====
1. Ramesh Ray Son of Late Chandrika Ray.
 2. Rampukar Yadav @ Ram Pukar Ray Son of Bagar Ray both
are resident of Village- Mathiya Pandit Pur P.S.-
Piprakothi, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Adv.

For the Opposite Party/s: Mr. Manish Kumar No.2 (APP)

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 05.04.2016

Heard learned counsel for the Petitioners and the
State.

The Petitioners are apprehending their arrest in a
case registered under Section 47(a) of the Excise Act.

Considering that the Petitioner is the first offender,
let him be released on anticipatory bail in the event of arrest
or surrender before the learned Court below within a period of
four weeks from the date of receipt of the order on furnishing
bail bond of Rs. 5,000/- (Five Thousand) with two sureties of
the like amount each or any other surety as fixed by the Court
to the satisfaction of Chief Judicial Magistrate, East
Champaran at Motihari in connection with Excise Case No. 07
of 2016 subject to the conditions as laid down under Section
438(2) of the Code of Criminal Procedure as also subject to

the following conditions:- (i) That one of the bailors will be a close relative of the Petitioners who will give an affidavit giving genealogy as to how he is related with the Petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioners. (ii) That the affidavit shall clearly state that the Petitioners are not accused in any other case and if they are they shall not be released on bail. (iii) That the bailor shall also state on affidavit that he will inform the court concerned if the Petitioners are implicated in any other case of similar nature after their release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse. (iv) That the Petitioners will give an undertaking that they will receive the police papers on the given date and be present on date fixed for charge and if they fail to do so on two given dates and delays the trial in any manner, their bail will be liable to be cancelled for reasons of misuse. (v) That the Petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

Vikash/-

(Anjana Prakash, J.)

U		T	
---	--	---	--