

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14802 of 2016

Arising Out of PS.Case No. -11 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-
EASTCHAMPARAN(MOTIHARI)

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1. Bhuti Sah
2. Sambhu Sah. Both sons of Late Garad, resident of vill. - Chapra Bahash,
P.S. Sugauli, Distt. - E. Champaran

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 04-05-2016 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of
Excise Case No. 11 of 2016, disclosing offences under Section
47(a) of the Excise Act.

Learned counsel for the petitioners has submitted that the
place from where country made liquor was seized, does not
belong to these petitioners, who are full brothers. He further
submits that this is the first instance, when these petitioners have
been implicated in a case under Section 47(a) of the Bihar Excise
Act.

Considering the above submission, this application is allowed.

Let the petitioners, above-named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, E. Champaran in connection with Excise Case No. 11 of 2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

Subject to further condition that if the petitioners are implicated in future in any case of similar nature, the prosecution shall be at liberty to approach this Court for cancellation of their bail.

(Chakradhari Sharan Singh, J)

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