

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26521 of 2016

Arising Out of Excise Case No.171C3 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP.
District- KHAGARIA

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Nandlal Kumar, son of Bilakshan Mandal, resident of village Telia Bathan,
Police Station- Pasraha, District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar, Adv.

For the State : Mr. R.B. Roy 'Raman', A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 12-07-2016

Heard learned Counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the
offence under Section 53(A) of the Excise Act.

Considering the period of custody and fair antecedent
of the Petitioner, let him be released on bail on furnishing bail
bond of Rs.5,000/-(Five thousand) with two sureties of the like
amount each or any other surety to be fixed by the court concerned
to the satisfaction of Chief Judicial Magistrate, Khagaria, in
connection with Excise Case No. 171C3 of 2016, subject to the
conditions, (i) That one of the bailors will be a close relative of the
Petitioner who will give an affidavit giving genealogy as to how
he is related with the Petitioner. The bailor will also undertake to
inform the Court if there is any change in the address of the

Petitioner. (ii) That the affidavit shall clearly state that the Petitioner is not an accused in any other case and if he is, he shall not be released on bail. (iii) That the bailor shall also state on affidavit that he will inform the court concerned if the Petitioner is implicated in any other case of similar nature after his 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 Petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse. (v) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Anjana Prakash, J)

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