

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.36814 of 2016

Arising Out of PS.Case No. -98 Year- 2014 Thana -GOVERNMENT OFFICIAL COMP. District-
NAWADA

1. Bithal Sao, son of Shri Bilendra Sao, Residents of Village- Rasanpur,
P.S.- Warsaliganj, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aaruni Singh

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 06-09-2016 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Excise Case No. (G. O. No.) 98 of 2014,
disclosing offences under Sections 47 (a) and (f) of the
Bihar Excise Act.

Learned Counsel for the petitioner has
submitted that the place from where recovery has been
made does not belong to him. He has also submitted that
there is no material to indicate that the petitioner was in
possession of or in ownership of the place from where
recovery of illicit liquor was made.

Considering the aforesaid stand taken on behalf
of the petitioner, this application is allowed.

Let the petitioner, Bithal Sao, 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 Judicial Magistrate, 1st Class, Nawada, in connection with Excise Case No. (G. O. No.) 98 of 2014, 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 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 bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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