

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43053 of 2016

Arising Out of PS.Case No. -182 Year- 2016 Thana -DARIYAPUR District- SARAN

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1. Mohan Choudhary, Son of Late Ram Dayal Choudhary,
Resident of Village - Hariharpur, P.S. - Dariyapur, District-
Saran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kr. Tiwary, Adv.

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 24-10-2016

Heard the parties.

This application, for grant of anticipatory bail,
arises out of Dariyapur P.S. Case No. 182 of 2016, disclosing
offences under Sections 272 and 273 of the Indian Penal
Code and Section 47 of the Bihar Excise Act.

It is alleged that from the house of the petitioner
approximately 3 liters of Mahuwa wine were recovered.

Learned counsel for the petitioner has submitted
that the petitioner has no criminal antecedent and there is no
chance that he can tamper with the evidence or influence the
witnesses, if allowed the privilege of anticipatory bail.

Considering the submission, as above, this application is allowed. Let the petitioner, above named, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Saran**, in connection with **Dariyapur P.S. Case No. 182 of 2016**, 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 bond shall be liable to be cancelled.

This is further subject to the condition that if the petitioner is found indulging, in future, with allegation of commission of similar offence, the prosecution shall be at liberty to approach this Court for cancellation of his bail granted by virtue of the present order.

(Chakradhari Sharan Singh, J.)

Praveen-II/-c

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