

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41966 of 2016

Arising Out of PS.Case No. -195 Year- 2016 Thana -MAJHAULIA

District- WESTCHAMPARAN (BETTIAH)

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1. Vinod Sah, Son of Late Dasrath Sah, Resident of Village-
Amawa Man Bazar, P.S.- Majhauria, District- West
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mrs. Meena Singh

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

ORAL ORDER

2 29-09-2016

Heard the parties.

This application, for grant of anticipatory bail,
arises out of Majhauria P.S. Case No. 195 of 2016,
disclosing offences under Sections 272 and 273 of the
Indian Penal Code and Sections 47(a), 53(a) and 53(b) of
the Bihar Excise Act.

The petitioner has no criminal antecedent and
there is statement that he is not involved in any case,
under the provisions of Excise Act, at any earlier point of



time. From the First Information Report, it appears that on the basis of secret information that illegal country liquor was being prepared by co-accused, namely, Manu Mian, raids were conducted at the place of petitioner and other places. On the basis of secret information, the shop, belonging to the petitioner, was also searched from where 7½ liters of wine was recovered.

Learned counsel for the petitioner has submitted that petitioner, in fact, manufactures sweets and probably because of the limitation, which he had to provide his services, he has been falsely implicated in this case by the police.

Considering the submission that the petitioner has no criminal antecedent and the fact that there is no allegation against him that he was present and fled away from the place of occurrence when the raid was conducted, 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, Bettiah, West Champaran**, in connection with **Majhaulia P.S. Case No. 195 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 bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Praveen-II/-c

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