

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42299 of 2016

Arising Out of PS.Case No. -135 Year- 2015 Thana -CHAKIA District- EAST CHAMPARAN
(MOTIHARI)

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1. Anil Kumar Singh Son of Ramjee Singh resident of Village- Khairimal,
P.S.- Chakiya, District- East Champaran Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh

For the Opposite Party/s : Mr. Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 05-10-2016 Heard learned Counsel for the petitioner and

learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Chakiya Police Station Case No. 135 of 2015,
disclosing offences under Sections 272, 273, 290 of the
Indian Penal Code and Section 47(a) of the Excise Act.

240 litres of spirit was recovered from a Magic
vehicle by the Police in course of night patrolling. The
petitioner is not named in the First Information Report and
his implication is on the sole basis that he is the registered
owner of the said vehicle, from where the spirit was
recovered.

Learned Counsel appearing on behalf of the
petitioner has submitted that at no prior stage, any case,
under the provisions of the Excise Act, was ever instituted
against him and this is the first time when he has been

implicated in such case. He has also submitted that in future also, if the petitioner is implicated in a case of similar nature, this Court may consider cancelling his bail, if anticipatory bail is granted by this Court.

Regard being had to the submissions, so made, this application is allowed.

Let the petitioner, Anil Kumar Singh, 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 Additional Chief Judicial Magistrate XIII, East Champaran, at Motihari, in connection with Chakiya Police Station Case No. 135 of 2015, 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/-c

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