

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.58256 of 2015

Arising Out of PS.Case No. -106 Year- 2015 Thana -SIKTI District- ARRARIA

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Dilip Kumar Choudhary, Son of Bidya Nand Choudhary, R/o
Village-Khoragachh, P.S.-Sikty, District-Araria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha, Adv.

For the Opposite Party/s : Mr. Ahmad Ali (A.P.P.)

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

ORAL ORDER

2 01-02-2016 Heard learned counsel, appearing on behalf of the

petitioner, and learned Additional Public Prosecutor,

appearing on behalf of the State.

This application for grant of anticipatory bail
arises out of Sikty P.S. Case No.106 of 2015, disclosing
offences under Section 273 of the Indian Penal Code and
Section 47 (a) of the Bihar Excise Act.

Allegedly, 48 liters of country made liquor was
recovered from the petitioner's house.

It is submitted by learned counsel, appearing on
behalf of the petitioner, that the articles were not seized in
the presence of the petitioner and it cannot be said that the

recovery was made from his conscious possession. He also submits that the petitioner has no criminal antecedent.

Considering the submission, as above, this application is allowed. Let the petitioner, abovenamed, 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 Judicial Magistrate, Ist Class, Araria**, in connection with **Sikty P.S. Case No.106 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.

This is further subject to the condition that if the petitioner is found indulging in such activities in future, the State shall be at liberty to approach this Court for cancellation of bail granted in the present case.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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