

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40987 of 2016

Arising Out of PS.Case No. -162 Year- 2016 Thana -MAJHAULIA District- WEST CHAMPARAN
(BETTIAH)

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1. Ramayan Dhagad @ Ramayan Dhangad son of Late Bahadur Dhagad
Resident of Village-Dhokraha Dhagad Toli, Police Station-Majhauria,
District-West Champaran at Bettiah Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh

For the Opposite Party/s : Mr. Ram Priya Saran Singh

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 26-09-2016 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Majhauria Police Station Case No. 162 of 2016,
disclosing offences under Section 272/273 of the Indian
Penal Code and Section 47 (a) of the Bihar Excise
(Amendment) Act, 2016.

It is alleged that from the house of the
petitioner, 10 (ten) gallons of Mahua Gur was recovered by
the Police in course of raid conducted by them.

Learned Counsel for the petitioner has
submitted that it is evident from the First Information
Report that no seizure of Mahua Gur has been made and
allegedly whatever was recovered was destroyed by the

Police. He has submitted that in such circumstance, there cannot be said to be any material proof that said Mahua Gur was recovered from the petitioner's house.

Considering the above submission, this application is allowed.

Let the petitioner, Ramayan Dhagad @ Ramayan Dhangad, 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 Chief Judicial Magistrate, West Champaran, at Bettiah, in connection with Majhaulia Police Station Case No. 162 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.)

Prabhakar Anand/-c

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