

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.7907 of 2016**

Arising Out of PS.Case No. -269 Year- 2015 Thana -ARWAL District- JEHANABAD

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Ajay Sao S/O- Munendra Sao, R/o Vill.- Simra, P.S.- Phulwarisarif,  
District- Patna

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Jogendra Kumar

For the Opposite Party/s : Mr. Uday Pratap Singh (App)

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

**ORAL ORDER**

2     06-04-2016                      Heard learned counsel, appearing on behalf of the  
  
petitioner, and the learned Addl. Public Prosecutor, appearing on  
  
behalf of the State.

This application for grant of anticipatory bail arises out  
of Arwal P.S.Case No. 269/2015, disclosing offences under  
sections 414 and 34 of the Indian Penal Code and section 47(F) of  
the Excise Act and 3/6 of the Bihar Mahua Flower Control Act,  
2006.

From Tata 407 vehicle, huge quantity of Mahua flower  
was recovered by the police. The petitioner is said to be the owner  
of the vehicle. When the vehicle was seized, the petitioner was not  
there. He has been implicated on the basis of the statement of the  
persons including driver of the said vehicle, who were arrested by  
the police. The driver of the vehicle is said to have been granted  
regular bail by the court below.

Considering the facts and circumstances, this application is allowed.

Let the petitioner, abovenamed, in the event of his arrest/ surrender before the court below within six weeks from today, 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 the Chief Judicial Magistrate, Arwal in Arwal P.S.Case No. 269/2015, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

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 bonds shall be liable to be cancelled.

As noticed that the petitioner has criminal antecedent, inasmuch as he is involved in two more cases under the Bihar Excise Act, it is, therefore, indicated that if his name figures in any case of similar nature, prosecution shall be at liberty to approach this Court for cancellation of bail granted to the petitioner.

**(Chakradhari Sharan Singh, J)**

Surendra/-

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