

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20408 of 2016

Arising Out of PS.Case No. -296 Year- 2015 Thana -BANIAPUR District- SARAN

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1. Dharmendra Kumar @ Dharmendra Sah Son of Dharamnath Sah
Resident of Village- Lawa Kala, PS Baniapur, District Saran.

.... 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. Dr. Ajeet Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 20-05-2016

Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Baniapur Police Station Case No. 296 of 2015,
disclosing offences under Sections 272 and 273 of the
Indian Penal Code and Section 47 (a) of the Excise Act.

Allegedly the petitioner is engaged in
manufacturing and sale of illegal country liquor. On a raid
conducted by the Police, 2035 litres of spirit and other
articles for the purpose of manufacture of country liquor
was recovered by Police. The petitioner is said to have fled
away after having seen the Police.

Learned Counsel appearing on behalf of the
petitioner has submitted that though it is alleged that the
seizure was made from the premises belonging to the
petitioner, but the said premises/land, in question, do not

belong to the petitioner. It has further been stated that the petitioner has no criminal antecedent and there is no likelihood of tampering with the evidence, if grant privilege of anticipatory bail.

Considering the submission, as above, this application is allowed.

Let the petitioner, Dahrmendra Kumar @ Dharmendra Sah, 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 Shri R. K. Yadav, Judicial Magistrate, 1st Class, Saran at Chapra, in connection with Baniapur Police Station Case No. 296 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/-

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