

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5861 of 2016

Arising Out of PS.Case No. -256 Year- 2015 Thana -GOVINDGANJ District-
EASTCHAMPARAN(MOTIHARI)

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Sonu Thakur, Son of Muktinath Thakur, Resident of Village- Khajuriya,
P.S.- Gobindganj, District- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate

For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 22-02-2016

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Govindganj P.S. Case No. 256 of 2015 (G.R. Case No. 4931 of 2015), disclosing offences under Section 290 of the Indian Penal Code and 47(a) of the Excise Act.

On the basis of raid conducted by the Police, 11 liters of country-made liquor was recovered. Allegedly, the petitioner was found fleeing away, whose name was disclosed by the persons who had collected there, as the person who was seen fleeing away.

Learned counsel for the petitioner submits that this is the first occasion when the petitioner has been made an accused in a case under Section 47(a) of the Excise Act. He further submits that the petitioner has no criminal antecedent.

Considering the submission and nature of offence, this application is allowed.

Let the petitioner, above-named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 7th, Motihari, East Champaran in connection with Govindganj P.S. Case No. 256 of 2015 (G.R. Case No. 4931 of 2015), subject to the conditions as 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 bonds shall be liable to be cancelled.

This is subject to the condition that if the petitioner is again found indulging in such activities, his application for bail as granted by virtue of present order shall also stands cancelled.

(Chakradhari Sharan Singh, J)

Vats/-

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