

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49617 of 2016

Arising Out of PS.Case No. -189 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-
NAWADA

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1. Basant Chaudhary Late Bali Chaudhary village- Partapur, P.S.- Sirdala,
District - Nawada

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lilawati Singh

For the Opposite Party/s : Mr. Ahmad Ali

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-12-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out
of G.O. Case No. 189 of 2016, disclosing offences under Sections
47(a) and (F) of Bihar Excise (Amendment) Act, 2016.

It has been submitted on behalf of the petitioner that the
said Excise Act is an old Act and the occurrence is of January,
2016.

It has been submitted on behalf of the petitioner that
though 25 litres of liquor and 1800 kg of Mahua have been
recovered from the place of the petitioner, the delay of about two
months in submission of the seizure list before the Chief Judicial
Magistrate, Nawada has occurred, as such the petitioner deserves



the anticipatory bail.

Heard learned APP appearing for the State who could not controvert the delay of two months in submission of the seizure list before the Chief Judicial Magistrate, Nawada.

Having heard both sides and considering the facts and circumstances of the case, 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 bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with G.O. Case No. 189 of 2016, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and further that the petitioner will cooperate with the investigation of the case.

(Vinod Kumar Sinha, J)

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