

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.36748 of 2016

Arising Out of PS.Case No. -133 Year- 2016 Thana -ALOU LI District- KHAGARIA

1. Arun Kewat S/o Dasrath Kewat Resident of village- Dakshni, Bahorba,
P.S.- Alauli, District- Khagaria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Sri Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 06-09-2016

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

This application, for grant of anticipatory bail,
arises out of Alauli Police Station Case No. 133 of 2016,
disclosing offences under Section 47(a) of the Bihar Excise
Act.

Learned Counsel for the petitioner submits that
the First Information Report has been lodged by private
persons, which is not permissible under the Bihar Excise
Act, 1915. He has submitted that the seizure has been
done on the basis of materials recovered by the private
persons.

Considering the above submission, this
application is allowed.

Let the petitioner, Arun Kewat, 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, Khagaria, in connection with Alauli Police Station Case No. 133 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/-

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