

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58083 of 2015

Arising Out of PS.Case No. -240 Year- 2015 Thana -HISUA District- NAWADA

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1. Pappu Chaurasia @ Pappu Kumar Chaurasia son of Late Prabhu Chaurasia, Resident of village- Tungi, P.S.- Hisua, District- Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shrawan Kumar, Sr. Advocate
With Vibhuti Ranjan Sonvadra

For the Opposite Party/s : Mr. Shyam Kr. Singh(APP)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 30-01-2016 Learned counsel for the petitioner is permitted to make necessary corrections in the petition and pertaining to the address of the petitioner in course of the day.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor appearing on behalf of the State.

This application for grant of anticipatory bail arises out of Hisua P.S. Case No. 240 of 2015, disclosing offences under Sections 272, 273 of the Indian Penal Code and 47(A), 47(F), 13(F) of the Excise Act and 2 (C)/3 of Mahua Flower Act, 2006.

Learned Senior Counsel appearing on behalf of the petitioner contends that the petitioner has been implicated in the present case with the only allegation that upon seeing the police,



he fled away from the shop run by him. It appears from the First Information Report that raw-materials for preparation of wine were recovered by the police leading to the institution of the First Information Report. Learned Senior Counsel submits that there is absolutely no material to indicate that the place from where the seizure was made belonged to the petitioner in any manner. He has also stated, referring to paragraph No.3 of the application that the petitioner has no criminal antecedent.

In view of the submissions and 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 from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nawada in connection with Hisua P.S. Case No. 240 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 the cancelled.

This is subject to the further condition that if the petitioner is found involved in similar offence in future, the prosecution shall be at liberty to approach this Court for cancellation of bail granted by virtue of the present order.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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