

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47642 of 2016

Arising Out of PS.Case No. -204 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-
VAISHALI(HAJIPUR)

=====

Pramod Rai @ Pramod Kumar, s/o- Lal Babu Rai, resident of village-
Chakmaigan (Amer), P.S.- Bidpur, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. M. Dayal, APP

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 08-11-2016 Heard the Counsel for the petitioner and Mr. Dayal,

APP for the State.

The petitioner is facing prosecution under sections
49(a) and 54 of the Bihar Excise Amendment Act, 2016 vide C2-
204 of 2016. On secret information, the Excise Officer is said to
have made a search of the make shift house on the land of co-
accused Manoj Jha and allegedly recovered 194 ltrs of IMFL.

Counsel for the petitioner, drawing attention of the
Court to the prosecution report, states that the case is of recovery
of IMFL from the house/land belonging to Manoj Jha. The name
of the petitioner and one Santosh Singh has, however, been added
as the persons who escaped therefrom. It is further submitted that
co-accused Santosh Kumar @ Santosh Singh has been granted the
privilege of anticipatory bail by this Court vide order dated

05.10.2016 passed in Cr. Misc. No. 43563 of 2016. It is further submitted that he has no criminal antecedent of having committed such/any offence.

Considering the above, in the event of arrest or surrender in the Court below within four weeks, the petitioner abovenamed is directed to be released on anticipatory 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, Vaishali at Hajipur in C2-204 of 2016 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

Pankaj/-

U		T	
---	--	---	--