

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37057 of 2016

Arising Out of PS.Case No. -31 Year- 2015 Thana -GOVERNMENT OFFICIAL COMP. District-
PATNA

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1. Kameshwar Rai son of Bishwanath Rai resident of village - Panapur,
P.S. - Akilpur, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Mishra

For the Opposite Party/s : Mrs. Indu Bala Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 20-09-2016 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

This application for anticipatory bail arises out of
Excise Case No. 31 (C2)/2015, disclosing offences under
Section 47(a) and (f) of the Bihar Excise Act.

On the basis of raid conducted by the Excise
officials, 200 liters of country made liquor and articles used
for manufacturing country made liquor were seized from near
Pipapool, Danapur.

Learned counsel for the petitioner has submitted
that the place from where the recovery was made does not
belong to the petitioner and his implication is based on mere
hear say. He has also submitted that the petitioner has no
criminal antecedent and the case has been registered before

imposition of prohibition in the State of Bihar.

Considering the above, this application is allowed.

Let petitioner above-named in the event of his arrest/surrender within four weeks from today in the Court below 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 the learned Additional Chief Judicial Magistrate, Danapur in Excise Case No. 31 (C2) 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.

Subject to the further condition that if the petitioner is made accused in any case of similar nature, 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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