

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7538 of 2016

Arising Out of PS.Case No. -53 Year- 2015 Thana -KALER District- JEHANABAD

1. Sadhu Yadav Son of Late Lal Yadav Resident of village - Upadhyay Bigaha, P.S. Kaler District - Arwal

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Anil Pd. Singh(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 16-03-2016 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Kaler Police Station Case No. 53 of 2015, disclosing offences under Sections 272 and 273 of the Indian Penal Code and Section 47 of the Bihar Excise Act.

It is alleged that huge quantity of country-made liquor were being carried in a vehicle, which was intercepted by the informant while discharging his duties as Executive Magistrate during the State Assembly Elections. The driver of the vehicle is said to have disclosed the name of the petitioner as the person who had fled away from the vehicle.

Learned Counsel for the petitioner submits that over and above the allegation to this extent, there is no material against the present petitioner. He has further submitted that the petitioner has no criminal antecedent and has never been made accused in a case under Section 47 of the Bihar Excise Act.

Considering the facts and circumstances, as above, this application is allowed.

Let the petitioner, Sadhu Yadav, 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 Sri Kishor Kunal, learned Judicial Magistrate, 1st Class, Arwal, in connection with Kaler Police Station Case No. 53 of 2015, 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.

This is subject to the further condition that if the

petitioner is found indulging in similar activities in future,
his bail granted by virtue of the present order shall be
liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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