

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6021 of 2016

Arising Out of PS.Case No. -7 Year- 2015 Thana -GOVERNMENT OFFICIAL COMP. District-
EASTCHAMPARAN(MOTIHARI)

1. Ram Niwas Sah Son of Suresh Sah resident of Village- Bariya Sirsiya
P.S- Adapur, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava

For the Opposite Party/s : Mr. Mukesh Kumar Singh(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 10-03-2016

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

This application, for grant of anticipatory bail,
arises out of Excise Case No. 07 of 2015, disclosing
offences under Sections 47(a) of the Bihar Excise Act.

From the house, allegedly taken on rent by the
petitioner, huge quantity of foreign liquor came to be seized
by the officials of the State Excise Department, according to
the prosecution's case.

It is the specific case of the petitioner that the
said house is not in possession of the petitioner in any
capacity whatsoever and, in particular, he has not taken the
said house on rent. It has been stated in paragraph 3 of the
application that the petitioner has no criminal antecedent.

This application is accordingly allowed.

Let the petitioner, Ram Niwas Sah, 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, Motihari, East Champaran, in connection with Excise Case No. 07 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 also subject to further condition that if the petitioner is made an accused subsequent to the present order, the prosecution shall be at liberty to approach this Court for cancellation of his bail granted by virtue of the present order.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---