

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18614 of 2016

Arising Out of PS.Case No. -97 Year- 2012 Thana -GOVERNMENT OFFICIAL COMP. District-
MADHUBANI

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Shyam Mukhiya Son of Ram Sewak Mukhiya, resident of village-
Chandradih, P.S.- Khajauli, District- Madhubani

..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :
For the Petitioner : M/s Sanjay Kumar Jha and
Anant Kumar Bhaskar, Advocates
For the State : Dr. Ajeet Kumar Singh, APP

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 10-05-2016 Heard learned counsel for the petitioner and the

State.

Petitioner apprehends his arrest in a case

registered for the offences punishable under section 47(a) of

the Excise Act.

It is submitted that 22 litres of country made

liquor and 90 Kg. Jawa Mahua were recovered from the

courtyard of the petitioner's house and the petitioner was

found absconding from the scene. It is urged that about four

families live in the house being the members of larger joint

family, however, the petitioner is only being targeted though

having no criminal history.



Having regard to the facts and circumstances of the case, let the abovenamed petitioner, namely, Shyam Mukhiya, be released on bail in the event of arrest/surrender before the court below within a period of six weeks from today in T.R. No. 973/2016/1329/15 arising out of G.O. No. 97/12 on furnishing bail bonds of Rs.10,000/- (Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of Shri Vivek Vishal, Judicial Magistrate, Ist Class, Madhubani, subject to the conditions laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure with a further condition that one of the bailors of the petitioner must be a close relative or family member of the petitioner who shall file affidavit before the concerned court giving complete genealogy to show his / her relationship with him.

Before accepting the bail bond of the petitioner, the court below would satisfy itself regarding the criminal antecedent of the petitioner. If it is found that the petitioner is having some criminal antecedent then he would be taken in custody.

Further, if the petitioner, after his release in this

case, is again found to be involved in criminal case of similar nature, the court concerned would be at liberty to take steps for cancellation of his bail bonds.

(Dr. Ravi Ranjan, J)

SC/-

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