

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28221 of 2016

Arising out of Excise .Case No. -72 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP.
District- EAST CHAMPARAN (MOTIHARI)

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Sahdeo Rai, son of late Dukha Rai, resident of Village – Rulhi Satisa, P.S. -
Muffasil, District - East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Adv.

For the State : Mr. Nand Kishore Pd., A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 13-07-2016

Heard learned Counsel for the Petitioner and the State.

The Petitioner seeks bail in a case instituted for the
offence under Section 47(A) of the Excise Act.

Considering the period of the custody and the fair
antecedent of the Petitioner, let him be released on bail on
furnishing bail bond of Rs.5,000/-(Five thousand) with two
sureties of the like amount each or any other surety to be fixed by
the court concerned to the satisfaction of Chief Judicial
Magistrate, Motihari, East Champaran, in connection with Excise
Case No. 72 of 2016, subject to the conditions, (i) That one of the
bailors will be a close relative of the Petitioner who will give an
affidavit giving genealogy as to how he is related with the
Petitioner. The bailor will also undertake to inform the Court if

there is any change in the address of the Petitioner. (ii) That the affidavit shall clearly state that the Petitioner is not an accused in any other case and if he is, he shall not be released on bail. (iii) That the bailor shall also state on affidavit that he will inform the court concerned if the Petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse. (iv) That the Petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse. (v) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

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(Anjana Prakash, J)