

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47734 of 2016

Arising Out of PS.Case No. -695 Year- 2016 Thana -SAHARSA District- SAHARSA

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Janak Chaudhary Son of Late Gulabchandra Chaudhary, resident of Saharsa
Basti, Ward No. 31, P.S. and District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indu Shekhar Dwivedi, Advocate

For the Opposite Party/s : Mr. Mukeshwar Dayal, APP

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: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 19-11-2016 Heard Mr. Indu Shekhar Dwivedi, counsel for the

petitioner and Mr. Mukeshwar Dayal, APP for the State.

The petitioner, apprehending his arrest in Saharsa
(Sadar) P.S. case No.695 of 2016 registered under Sections 47(A)
and 47(D) of Bihar Excise (Amendment) Act, 2016, prays for
grant of anticipatory bail.

In the absence of the petitioner it is alleged that his
house was searched and 25 liters of kachcha mahua was found,
which is allegedly used in preparation of mahua wine. It is stated
that on the date of occurrence the house of two of the persons were
searched. Another accused Rohit Choudhary, against whom
similar/identical allegation is made, has been granted privilege of
anticipatory bail vide order dated 17.10.2016 passed in
Cr.Misc.No.43675 of 2016. The petitioner in fact was away from

his house in connection with treatment of his father-in-law and has no criminal antecedents.

Considering the above, let the petitioner above named be released on anticipatory bail in the event of arrest/surrender before the learned court below within a period of four weeks from today on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Shri R. Chaubey, learned Chief Judicial Magistrate, Saharsa in connection with Saharsa (Sadar) P.S. case No. 695 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

Narendra/-

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