

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24270 of 2016

Arising Out of PS.Case No. -42 Year- 2016 Thana -ITADHI District- BUXAR

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1. Sanjay Yadav @ Sanjay Singh Son of Sri Ram Govind Yadav, Resident of Village-Unwas, P.S.- Itarhi, District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manendra Kumar Sinha

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

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 12-08-2016 Heard learned counsel appearing on behalf of the petitioner and learned Addl. Public Prosecutor, appearing on behalf of the State.

This application for grant of anticipatory bail arises out of Itarhi P.S. Case No. 42 of 2016, disclosing offences under Sections 272, 273, of the Indian Penal Code and Sections 47, 57 and 63 of the Excise Act.

Allegedly, huge quantity of country made liquor was recovered from the premises in possession of co-accused Ashok Saw. The petitioner has been implicated, he being the land lord of the said premises.

Learned counsel for the petitioner has submitted that it is evident from the First Information Report that the said Ashok

Saw, is the tenant of the premises from where the country made liquor was recovered. He has also submitted that there is no allegation that it was within knowledge of the petitioner that the said rented premise was being used for illegal purpose.

Considering the above, this application is allowed.

Let the petitioner, above-named, in the event of his arrest/surrender before the court below within six weeks from today, 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 the learned A.C.J.M-II, Buxar in Itarhi P.S. Case No. 42 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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 consecutives occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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