

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51457 of 2016

Arising Out of PS.Case No. -548 Year- 2016 Thana -NAWADA District- NAWADA

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1. Mantu Kumar @ Mantu Singh, Son of Badri Singh @ Badri Prasad Singh, resident of Village- Siswan, P.S.- Nawadah Towan, District- Nawadah. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-12-2016 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Nawadah Town P.S. Case No. 548 of 2016, disclosing offences under Sections 272 and 273 of the Indian Penal Code as well as under Section 47(a)(c)(i) of Bihar Excise (Amendment) Act, 2016.

The prosecution case, in brief, is that on secret information the informant along with police force recovered 750 ml of foreign liquor from the bush of Bhuni Toli of village Siswan.

It has been submitted by learned counsel for the petitioner that no recovery of liquor from the conscious possession of the petitioner has been made and he has been falsely implicated in the present case.

It has been submitted by learned counsel for the petitioner that other co-accused person of this case has already



been granted anticipatory bail by this Court vide order, dated 25.11.2016, passed in Cr.Misc.No. 50541 of 2016.

Heard learned APP appearing for the State who could not controvert this fact.

Having heard both sides and considering the facts and circumstances of the case and the fact that other co-accused person has already been granted the privilege of bail, this application is allowed. Let the petitioner, above named, 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/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawadah in connection with Nawadah Town P.S. Case No. 548 of 2016, 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.

(Vinod Kumar Sinha, J)

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