

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35648 of 2016

Arising Out of PS.Case No. -68 Year- 2016 Thana -MUSAHRI District- MUZAFFARPUR

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Om Prakash Gupta son of Late Gauri Shankar Gupta, resident of Village-
Nai Bazar, Police Station- Nagar, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pancham Lal Jaiswal

For the Opposite Party/s : Mr. Sir Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 23-09-2016

Heard the counsel for the petitioner and the State.

The petitioner is facing prosecution in Mushahari P.S.
Case No. 68 of 2016 registered under Sections 353, 420, 120(B)
and other allied Sections of the Indian Penal Code.

The land of the business premises of M/s Riga Sugar
Company Ltd. was leased out to the Company by the petitioner. It
is alleged that on 01.04.2016, seals of the doors of the Company
premises found broken and some illicit stocks of country or
foreign made liquor was found. The Manager of the godown and
other persons have been named as accuseds. The petitioner has
been named as the accused as according to the prosecution. The
land was leased out by the petitioner.

Contention of the petitioner is that he has been named

only because the land on which the godown of the factory was leased out by the petitioner. Except this, there is no further incriminating material against the petitioner.

Looking to the materials on record and after hearing the parties, I am inclined to extend him to grant the privilege of anticipatory bail.

Let the petitioner above named, in the event of arrest/surrender within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Sub Judge III cum A.C.J.M. Muzaffarpur in Mushahari P.S. Case No. 68 of 2016 subject to the condition as laid down under Section 438(2), the code of Criminal Procedure with further condition that one of the bailors shall be his own/close family member. The petitioner shall appear in person on each date fixed at the trial. In case of default in appearance on two consecutive dates, the trial court shall have liberty to cancel his bail bonds.

(Kishore Kumar Mandal, J)

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