

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53692 of 2019

Arising Out of PS. Case No.-96 Year-2011 Thana- GOVERNMENT OFFICIAL COMP.
District- Jamui

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SUNIL MANDAL S/o Late Divu Mandal R/o village- Masle, P.S.- Laxmipur,
District- Jamui

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Sinha
For the Opposite Party/s : Mr.Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 28-08-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Case NO. 96C2 of 2011 of 2011, disclosing offences under Sections 47(a) of the Bihar Excise Act, 2015.

The complaint case was filed on the report of the Excise Sub-Inspector, Jamui on the basis of an allegation of recovery of 8 liters of country made liquor from the petitioner's house in the year 2011 much before the enactment of the present Act, viz., Bihar Excise and Prohibition Act, 2016 came into force.

Learned counsel appearing on behalf of the petitioner has submitted that no steps were taken after registration of the case to apprehend him and the petitioner was not apprehending his arrest. According to him, recently in the year 2018 when he learnt about certain steps being



taken in the criminal case, he filed anticipatory bail application before the learned Sessions Judge.

Considering the facts and circumstances, this application is allowed.

Let the petitioner above named in the event of his arrest/surrender within six weeks from today in the Court below, 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 Additional Sessions Judge-II, Jamui in Case No. 96C2 of 2011, , subject to the conditions as 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 bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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