

Vijay Bind Vs. the State of Bihar

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Court : Patna

Decided On : May-13-2012

Appellant : Vijay Bind

Respondent : The State of Bihar

Judgement :

IN THE HIGH COURT OF JUDICATURE AT PATNA Criminal Miscellaneous No. 43221 o

1. Vijay Bind, S/o Late Chander Bind, Resident of Village Lohari, P.O. - Goh, District Aurangabad. Versus 1. The State of Bihar ----- 02. 13.01.2012
Heard learned counsel for the petitioner and the State. The petitioner is apprehending his arrest in a case registered under Section 47(A) of the Excise Act. Considering that the petitioner was not found at the place where the alleged illegal wine was being prepared and he has fair antecedents, let the petitioner, above named be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of four weeks from the date of receipt of the order on furnishing bail bond of Rs. 5,000/- (Five Thousand) with two sureties of the like amount each or any other surety as fixed by the Court to the satisfaction of Chief Judicial Magistrate, Aurangabad in connection with Excise Case No. 03 of 2009 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will

also undertake to inform the Court if there is any change in 2 the address of the petitioner. (ii) That the affidavit shall clearly state that the petitioner is not an accused in any other case and if he is he shall not be released on bail. (iii) That the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse. (iv) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled. (Anjana Prakash, J.) Vikash/-

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