

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35413 of 2016

Arising Out of PS.Case No. -78 Year- 2016 Thana -NALANDA District- NALANDA
(BIHARSHARIFF)

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Sujit Kumar @ Disco, Son of Rajendra Singh, resident of Village- Surajpur,
P.S.- Nalanda, District- Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 22-11-2016

Heard Mr. Thakur in support of the application and

Mr. Satyendra Prasad, A.P.P. for the State.

The petitioner prays for Anticipatory bail in Nalanda
P.S. Case No. 78 of 2016, registered under Section 47 of the
Excise Act.

The Police officer lodged the case that on an
information that one Babulal @ Sikandar Singh along with his
two associates have come on a motorcycle and dumped illicit
liquor at the poultry farm in the land of Babulal @ Sikandar
Singh, a search was carried out and several bottles of Indian made
foreign liquor were recovered from there.

Contention of the petitioner is that except the
suspicion raised in the F.I.R. that the petitioner had also
accompanied Babulal @ Sikandar Singh, there is no other
material justifying his arrest in this case. That apart, co-accused
Babulal @ Sikandar Singh has been released on bail by this Court

vide order dated 26.09.2016 passed in Criminal Miscellaneous No. 38667 of 2016. The petitioner has absolutely no criminal antecedent.

Considering the above, I am persuaded to extend him the privilege of anticipatory bail in the event of arrest or surrender in the Court below within four weeks, the petitioner above named, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Nalanda at Bihar Sharif in connection with Nalanda P.S. Case No. 78 of 2016 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure her arrest in accordance with law.

(Kishore Kumar Mandal, J)

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