

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41811 of 2017

Arising Out of PS.Case No. -82 Year- 2017 Thana -PATAHI District-
EASTCHAMPARAN(MOTIHARI)

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Madhurendra Kumar @ Madhurendra Kumar Singh, son of late
Baidayanath Singh, r/o Ratan Sagar, P.S.- Patahi, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate.

For the Opposite Party/s : Mr. Ajit Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

7 13-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Patahi P.S. Case No. 82 of 2017** instituted for the offence under Sections 414, 272, 273, 353, 427, 34 of the Indian Penal Code and Section 30(a), 34 and 38 of Bihar Prohibition & Excise Act, 2016.

Learned counsel for the petitioner has submitted that his name has been disclosed by the driver due to enmity. The driver did not produce any paper in support of the statement before the police that the petitioner is owner of the car.

In the written report itself it is mentioned that driver Ranjit Kumar with car was apprehended by the police in which it is alleged that foreign liquor has been found. He disclosed before the police that the car belongs to the petitioner.

It is mentioned in paragraph-3 of the bail petition that



petitioner has no criminal antecedent.

From the written report and seizure list it appears that there is no recovery of any foreign liquor from conscious possession of this petitioner.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Patahi P.S. Case No. 82 of 2017**, he shall 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 learned **7th Additional Sessions Judge, Motihari-cum-Special Judge, East Champaran, Motihari**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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