

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9203 of 2017

Arising Out of PS.Case No. -59 Year- 2016 Thana -SARAN GRP CASE District- SARAN

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Alok Kumar @ Manchun @ Manchund, S/o Sanjay Kumar @ Sanjay Singh, resident of village - Dhanaur, P.S. Katra, District - Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Smt. Pushpa Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 24-04-2017

Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in Sonpur (Hajipur)

Rail P.S. Case No. 59 of 2016 instituted for the offence under
Section 47 of the Bihar Excise Act, 2016.

As per written report, co-accused Prashant Kumar was apprehended from whose possession foreign liquor has been recovered. He disclosed the name of petitioner. It is alleged that petitioner along with one coolie has loaded foreign liquor in Bolero Car. In paragraph-3 of the bail petition it is mentioned that the petitioner has no criminal antecedent. From the seizure list it appears that there is no recovery of foreign liquor from possession of the petitioner. It is recovered from the Bolero vehicle standing in front of line Hotel of Lalan Singh.



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 Sonpur (Hajipur) Rail P.S. Case No. 59 of 2016, 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 Additional Chief Judicial Magistrate (Railway), Sonpur, Saran, 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.

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(Sanjay Priya, J)

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