

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16953 of 2017

Arising Out of PS.Case No. -122 Year- 2017 Thana -PHULWARI District- PATNA

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1. Mahendra Noniya @ Mahendra Prasad son of Chhathoo Noniya resident of mohalla - Godindpur (as per F.I.R. Govindpur Mushahari), P.S.Phulwarisharif, Dist - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rudra Deo

For the Opposite Party/s : Mr. Sir Pawan Kumar Chaurasiya

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 15-05-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Phulwari Sharif P.S. Case No. 122 of 2017 instituted for the offence under Sections-30, 64 of the Bihar Prohibition and Excise Act, 2016.

It has been submitted that the petitioner has clean antecedent. There is vague allegation in the written report that work of manufacturing of Mahua liquor was going on in the land of the petitioner. From the written report, it appears that there is mere vague allegation against the petitioner. There is no recovery of incriminating article either from possession of the petitioner or from the alleged land of the petitioner.

In such circumstances, prayer for anticipatory bail is allowed it is ordered that the petitioner named above, in the event



of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Phulwari Sharif P.S. Case No. 122 of 2017 to the satisfaction of Sheema Eram, learned Judicial Magistrate, Patna subject to condition as laid down u/S 438(2) of the 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 petitioners 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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