

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16016 of 2017

Arising Out of PS.Case No. -72 Year- 2017 Thana -LAKHISARAI District- LAKHISARAI

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Kuli Paswan @ Dilip Paswan, son of late Vishundeo Paswan, Resident of
Village- Panjabi Mohalla, Railway Hata, Ward No.15, Police Station-
Kabaiya, District- Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabi Bhushan, Advocate.
For the Opposite Party/s : Mr. Kumar Uday Pratap, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 04-05-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Lakhisarai
Kabaiya P.S. Case No. 72 of 2017 instituted for the offence under
Sections 272, 273, 290 of the Indian Penal Code, Sections 30(a),
32 (c), 37 (a), (b), (c) and 38(a) of Bihar Prohibition and Excise
(Amendment) Act, 2016.

It is alleged that police apprehended two persons and
recovered country made liquor from their possession. Those two
persons disclosed the name of the petitioner.

In this manner, there is no recovery from possession
of the petitioner who was not apprehended on the spot.

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 Lakhisarai (Kabaiya) P.S. Case No. 72 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 Chief Judicial Magistrate, Lakhisarai, 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.

The petitioner will file an affidavit that he will not indulge in such type of activity in future, and if he will find indulging in such type of activity, his bail bond shall be liable to be cancelled.

S.Ali/-

(Sanjay Priya, J)

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