

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38382 of 2017

Arising Out of PS.Case No. -204 Year- 2016 Thana -GARDANIBAGH District- PATNA

1. Mantu Roy, son of Ram Baran Rai, resident of village - Brahmadpur
Bichali Devi Asthan, P.S. Phulwarisharif, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawal Kishor Prasad, Advocate

For the Opposite Party/s : Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

8/ 13-11-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Gardanibagh**
P.S. Case No.204 of 2016 instituted for the offence under
Section(s) 47(a) (b), 53(b), 63(b) of the Bihar Prohibition &
Excise Act, 2016.

There is allegation that ½ bottle of Royal Stag
750ML was recovered from the tractor and three persons fled
away.

Counsel for the petitioner has submitted that name
of this petitioner has come during investigation on the basis of
confessional statement of co-accused.

From the written report itself, it is apparent that
there is no recovery from the possession of this petitioner.



In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Gardanibagh P.S. Case No.204 of 2016**, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Sub Judge XIV-cum-ACJM, Patna**, 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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