

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32636 of 2017

Arising Out of PS.Case No. -94 Year- 2016 Thana -SURYAPURA District- SASARAM (ROHTAS)
=====

1. Lal Babu Yadav, son of Late Sahtu Yadav,
2. Sonu Kumar, son of Late Lal Babu Yadav, Both residents of Village-
Gaushaladih, P.S.- Suryapura, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Mr. Sri Kumar Virendra Narayan
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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 14-07-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Suryapura P.S.

Case No. 94 of 2016 instituted for the offence under Sections-272,
273 of the Indian Penal Code and 30(a) of Bihar Prohibition and
Excise Act, 2016.

As per written report filed by the police against
unknown, it is mentioned in the written report that illicit liquor has
been recovered from a PARTI land. The police inquired but could
not get the detail of the aforesaid land. Accordingly, the police
filed the case against unknown. It is mentioned in paragraph-7 of
the bail petition that police after two months of the lodging of the
case, for the first time, made prayer on 13-12-2016 for issuance of
process against this petitioner. In paragraph-3 of the petition, it is



mentioned that petitioners have clean antecedent.

In such circumstances, prayer for anticipatory bail is allowed it is ordered that the petitioners named above, in the event of their 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 Suryapura P.S. Case No. 94 of 2016 to the satisfaction of learned Additional Sessions Judge-II-cum- Special Court, Excise, Rohtas, Sasaram 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) petitioners 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 petitioners tamper 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 petitioners.

(Sanjay Priya, J)

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