

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38420 of 2017

Arising Out of PS.Case No. -19 Year- 2017 Thana -KIUL RAIL P.S. District- LAKHISARAI

=====

1. Arbind Kumar, Constable No. 514, S/o Sri Krishna Prasad, resident of village- Amarthi, P.S.- Karakat (Gorari), District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The S.P. Vigilance Rail, Lakhisarai, Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy, Advocate

For the Opposite Party/s : Dr. Rabindra 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 **Special Case No.03 of 2017 arising out of Kiul Rail P.S. Case No.19 of 2017** instituted for the offence under Section(s) Section 50/52 of the Bihar Prohibition & Excise Act, 2016, and Section 13(1) (d) of the PC Act.

It is submitted that petitioner was merely member of Escort Party. Name of this petitioner has been disclosed by Shambhu Thathera, who was apprehended with country made liquor. It has further been submitted date of occurrence is said to be 26.12.2016 but the First Information Report has been lodged on 27.01.2017.

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 **Special Case No.03 of 2017 arising out of Kiul Rail P.S. Case No.19 of 2017**, 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 **Special Judge, Vigilance-II, 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)

JA/-

U		T	
---	--	---	--

