

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39769 of 2017

Arising Out of PS.Case No. -196 Year- 2017 Thana -KUDHNI District- MUZAFFARPUR

=====

Anjesh Kumar @ Anjesh Chaudhary, son of Navlakh Chaudhary, resident of village Chhajan Harishankar Tola, Sangram, P.S. Kudhani, Distt. Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate.

For the Opposite Party/s : Mr. Upendra Kumar, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

8 13-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Kudhani (Turki) O.P. P.S. Case No. 196 of 2017** instituted for the offence under Sections 30(a), 36 and 38 of the Excise Act, 2016.

Learned counsel for the petitioner has submitted that there is no recovery from conscious possession of this petitioner. The seizure list shows that recovery has been made from the land of Kaushal Singh and Sonu Singh situated in the south of Harishankar Singh. It has further been submitted that mere suspicion has been raised against this petitioner in the written report that the business of illegal trade of foreign liquor was done by this petitioner.

It is mentioned in paragraph-3 of the bail petition that petitioner has no criminal antecedent.



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 **Kudhani (Turki) O.P. P.S. Case No. 196 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 **Special Judge, Excise Act, Muzaffarpur**, 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.

S.Ali/-

(Sanjay Priya, J)

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

