

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39090 of 2017

Arising Out of PS.Case No. -188 Year- 2017 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

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1. Umesh Chaudhary @ Umesh Pasi, son of Jamuna @ Jamuna Pasi @
Jamuna Chaudhari, resident of village-Kathaiya, Near Mishra Petrol
Pump, P.S.-Jagdishpur, District-West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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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 **Nautan**
(Jagdishpur) P.S. Case No.188 of 2017 instituted for the
offence under Section(s) Section 30-A/37 of the Bihar
Prohibition & Excise Act, 2016.

Counsel for the petitioner has submitted that from
the seizure list itself, it is apparent that recovery was made from
the road going towards Shiv Mishra Petrol Pump, Mushahari
Tola. There is no recovery from the conscious possession of the
petitioner. It is mentioned in para 3 that the petitioner has clean
antecedents.

From the written report, it will be apparent that



occurrence is said to have taken place on 21.05.2017, but the First Information Report has been lodged on 23.05.2017.

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 **Nautan (Jagdishpur) P.S. Case No.188 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, Excise, West Champaran**, 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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