

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39134 of 2017

Arising Out of PS.Case No. -245 Year- 2017 Thana -RAMNAGAR District-
WESTCHAMPARAN(BETTIAH)

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Vishwanath Ram, son of late Jagdish Ram, Resident of Belagola, Harinagar, Harijantoli, P.S.- Ramnagar, District - West Champaran. At present resident of Ambedkar Nagar, P.S. - Bettiah Town, 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. Zainul Abedin, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 13-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Ramnagar P.S. Case No. 245 of 2017** instituted for the offence under Section 30 (a) of Bihar Prohibition and Excise Act.

Learned counsel for the petitioner has submitted that 4 litres country made liquor alleged to have been recovered from abandoned house of this petitioner. The villagers told that the said house belongs to this petitioner. As such, no recovery has been made from possession of this petitioner.

Learned Sessions Judge has mentioned in the impugned order that recovery has been made from the abandoned house and no members of the family was found in the house.



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 **Ramnagar P.S. Case No. 245 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, Bettiah, 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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