

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57477 of 2017

Arising Out of PS.Case No. -415 Year- 2017 Thana -KADAMKUAN District- PATNA

- =====
1. Ashish Arora @ Ashu, S/o Late Suresh Arora, aged about 31 Years, R/o Flat No. 302, Sudharshan Mansion Apartment, Near Congress Maidan, P.S.- Kadamkuan, Distt.- Patna.
 2. Payal Arora, wife of Ashish Arora, aged about 29 years, resident of Flat No. 302, Sudharshan Apartment, Near Congress Maidan, P.S. Kadamkuan, Distt. Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Nikhil Kumar Agrawal, Advocate.

For the Opposite Party/s : Ms. Aditi Hansaria, Advocate.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 07-12-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Kadamkuan P.S. Case No. 415 of 2017** instituted for the offence under Sections 30, 37(a)(d) and 38 of Bihar Prohibition and Excise Act, 2016.

It is mentioned in the written report that 39 litres of foreign liquor has been recovered from the Flat No. 202 of Sudharshan Apartment. It is further mentioned in the written report that during raid, the person present in the house was arrested. He disclosed that the liquor belongs to the petitioners. The petitioners were not present in the house at the time of raid.



The seizure list has been enclosed with the First Information Report which shows that the liquors have been seized in presence of one Vicky Kumar and he has signed on the seizure list. The said Vicky Kumar has been granted regular bail by a coordinate Bench of this Court vide order dated 18.10.2017 passed in Cr. Misc. 50181 of 2017.

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

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Kadamkuan P.S. Case No. 415 of 2017 (Special Case No.5985/17)**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned **Special Judge, Excise, 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) 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 petitioners 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)

S.Ali/-

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

