

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55525 of 2017

Arising Out of PS.Case No. -166 Year- 2017 Thana -NAYA RAM NAGAR District- MUNGER

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Chhotu Kumar, Son of Late Ashok Singh, Resident of Village- Nawagarhi,
Waris Tola, Police Station- Naya Ram Nagar, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surya Narayan Sah, Advocate.

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 22-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Naya Ram Nagar P.S. Case No. 166 of 2017** instituted for the offence under Sections 30/37(a)(b) of the Bihar Prohibition and Excise Act, 2016 of the Indian Penal Code.

It has been submitted that there is no recovery from conscious possession of this petitioner. It is mentioned in the written report that two persons namely, Raja Kumar and Karan Kumar Tanti were arrested and they disclosed the name of 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 **Naya Ram Nagar P.S. Case No. 166 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 **Chief Judicial Magistrate, Munger**, 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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