

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60567 of 2017

Arising Out of PS.Case No. -293 Year- 2017 Thana -PATRAKARNAGAR District- PATNA

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Sanjay Kumar @ Sanjay Singh, Son of Late Shyam Nandan Prasad, resident of Village/Mohalla - Dayal Bhawan, Gali No. 2, Salimpur Ahra, P.S. - Gandhi Maidan, District - Patna, Bihar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 22-12-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Special Case (Excise) No. 2651 of 2017 arising out of Patrakar Nagar P.S. Case No. 293 of 2017** instituted for the offence under Sections 30A, 30B, 38(4) of Bihar Prohibition & Excise Act, 2016.

Learned counsel for the petitioner has submitted that there is no recovery of any foreign liquor from possession of this petitioner. Total five persons were apprehended by the police. Out of them two persons namely, Annu and Avinash disclosed the name of this petitioner.

As such, from the written report it appears that there is no recovery of any foreign liquor is made from conscious possession of this petitioner.



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 **Special Case No. 2651 of 2017 arising out of Patrakar Nagar P.S. Case No. 293 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, 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) 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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