

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54425 of 2017

Arising Out of PS.Case No. -523 Year- 2017 Thana -BARACHATTI District- GAYA

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Manoj Kumar Sharma S/o Lekho Sharma, R/o Village- Tilokari, P.S.- Jai Nagar, District- Koderma (Jharkhand).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Sinha. Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 14-11-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Barachatti P.S. Case No. 523 of 2017 instituted for the offence under Sections 272,273,120(B) of the IPC and 30(a), 38,47 of Bihar Prohibition and Excise Act-2016.

As per the written report, there is allegation that total 120 litre of country made liquor recovered from the Tata Safari Car. The petitioner is alleged to be owner of the aforesaid car.

It has been submitted on behalf of the petitioner that there is no recovery of any country made liquor from the conscious possession of the petitioner. It is further submitted that the petitioner has no criminal antecedent.

In such circumstances, prayer for anticipatory bail is



allowed and it is ordered that the petitioner, named above, in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount in connection with Barachatti P.S. Case No. 523 of 2017 to the satisfaction of learned Special Excise Judge, Gaya subject to condition as laid down u/S 438 (2) of the 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 bonds of the petitioner and (3) if the petitioner 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 petitioner.

(Sanjay Priya, J)

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