

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62404 of 2017

Arising Out of PS.Case No. -101 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District-
ARRARIA

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Ashfaque, son of Md. Mufil, resident of Miyan Hatiya Choura Parwaha,
P.S. Forbesganj, Distt. Araria.

.... Petitioner/s

Versus

1. The State of Bihar
2. Ranjit Kumar, A.S.I. Excise, Forbesganj Circle, Distt. Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate.

For the Opposite Party/s : Dr. Ajeet Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 20-12-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **C.C. Case No. 101 of 2017** instituted for the offence under Sections 30(a) of the Bihar Excise Prohibition Act, 2016.

It is alleged that 1.05 litres of Nepali liquor has been recovered from the house of the petitioner but the seizure list does not bear signature either of this petitioner or any of his family members. It is mentioned in the written report that petitioner managed to run away.

As such, from the seizure list, it appears that there is no recovery from conscious possession 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 **C.C. Case No. 101 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 **Additional District & Sessions Judge, II, Araria**, 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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