

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62426 of 2017

Arising Out of PS.Case No. -277 Year- 2017 Thana -GIRIYAK District- NALANDA
(BIHARSHARIFF)

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Mithu, Son of Bholi Sonar, resident of Village- Ahiyachak, P.S.- Katrisarai,
District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudish Kumar, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 21-12-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Giriyak (Katrisarai) P.S. Case No. 277 of 2017** instituted for the offence under Sections 30(A) of Bihar Excise Prohibition Act, 2016.

It is alleged that police raided the house of Ram Pravesh Raut and seized illicit country made liquor. Four persons were arrested by the police who were trying to run away.

The seizure list is enclosed with the written report wherein it is mentioned that the recovery has been made from the house of Ram Pravesh Raut. As such, there is no recovery from conscious possession of this petitioner.

The name of this petitioner has been disclosed by the persons who have been arrested by the police.



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 **Giriyak (Katrisarai) P.S. Case No. 277 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 6th Additional District & Sessions Judge-cum-Special Judge, Excise, Nalanda at Bihar Sharif**, 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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