

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62501 of 2017

Arising Out of PS.Case No. -303 Year- 2017 Thana -DAUDNAGAR District- AURANGABAD

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Baban Choudhary, Son of Janeshwar Choudhary, Resident of village-
Manar (Planar Tola Buknapur), P.S.- Daudpur, District- Aurangabad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 22-12-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Daudnagar**
P.S. Case No. 303 of 2017 instituted for the offence under
Sections 37(C) (D) of Bihar Prohibition and Excise Act, 2016

In the seizure list it is mentioned that *Kismis, Mahua,*
and Molasses (*Gur*) mixed with *Jawa* weighing about 40 litres
was recovered from the house of this petitioner but the seizure list
does not bear signature either of this petitioner or any of his
family members.

It is mentioned in paragraph-3 of the bail petition that
petitioner has clean 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 **Daudnagar P.S. Case No. 303 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 Sessions Judge VIIth-cum-Special Judge Excise, Aurangabad**, 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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