

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55008 of 2017

Arising Out of PS.Case No. -470 Year- 2017 Thana -ARARIA District- ARRARIA

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Guljar Alam @ Md. Gulazar Alam @ Gulijar Alam, S/o Lal Mian, Resident
of Village Singhia, P.S. & District Kishanganj.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Umesh Lal Verma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 21-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Araria P.S.**

Case No. 470 of 2017 instituted for the offence under Sections
272, 273/34 of the Indian Penal Code and Sections 30(A), 36 and
38 of the Bihar Excise Amendment Act, 2016.

There is allegation that total 24 bottles of foreign
liquor has been recovered from Omni van. The driver of the
vehicle namely Saddam Hussain was apprehended on the spot.
The petitioner is said to be the owner of the omni van.

Learned counsel for the petitioner has submitted that
this petitioner has given the vehicle in question to Md. Saddam
Hussain on rent of Rs.5,000/- per month for eleven months by
written agreement, copy of which, has been enclosed as



Annexure-2 series wherein it is specifically mentioned that Saddam Hussain will be liable for illegal act committed by him.

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 **Araria P.S. Case No. 470 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 **2nd Additional Sessions Judge, 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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