

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56753 of 2017

Arising Out of PS.Case No. -92 Year- 2017 Thana -AMBA District- AURANGABAD

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1. Binod Singh, son of Late Yogeshwar Singh, resident of Village-
Ebrahimpur, P.S.- Kutumba, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh

For the Opposite Party/s : Mr. Sri Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 01-12-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Amba P.S. Case No. 92
of 2017 instituted for the offence under Sections-30(a) and 38(a) of
Bihar Prohibition and Excise Act.

It is alleged that 200 pouches of 200 ml. each country made
liquor was recovered from a motorcycle which was being driven by
Deepak Kumar and one Manoj Singh was sitting on that motorcycle.
They disclosed that motorcycle belongs to this petitioner. As such, from
the written report itself, it appears that there is no recovery of the liquor
from conscious possession of the petitioner. In paragraph-3 of the
petition, it has been mentioned 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 each in connection with in Amba P.S. Case No. 92 of 2017 to the satisfaction of Additional District & Sessions Judge-VII-cum-Special Judge, Aurangabad 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 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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