

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56607 of 2017

Arising Out of PS.Case No. -117 Year- 2017 Thana -RAJPUR District- EAST
CHAMPARAN(MOTIHARI)

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Mukesh Rai S/o Late Pradeep Rai, R/o Village- Madhuaha Brit, P.S.-
Rajepur, Distt.- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Dr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 30-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Rajepur P.S. Case No. 117 of 2017 instituted for the offence under Sections 272, 273 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act 2016.

As per the seizure list, the recovery of the foreign liquor has been made from the land situated behind the house of the petitioner. There is neither any signature of the petitioner nor his family members' on the seizure list.

It has been submitted by the learned counsel for the petitioner that he has been made accused in this case merely on suspicion; nothing has been recovered from the conscious possession of the petitioner.



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 bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Rajepur P.S. Case No. 117 of 2017 to the satisfaction of learned Special Judge of Excise, Motihari subject to condition as laid down u/S 438 (2) of the Cr. P.C. with further conditions (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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioner and (3) if the 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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