

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16049 of 2017

Arising Out of PS.Case No. -536 Year- 2016 Thana -MANER District- PATNA

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1. VIKASH KUMAR @ VIKASH RAI Son of Doman Rai, Resident of
Village- Hulasi Tola, P.S.- Maner, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh

For the Opposite Party/s : Mr. Sri Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 09-05-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Maner P.S. Case
No. 536 of 2016 instituted for the offence under Section-30(a) of
the Bihar Prohibition and Excise Act, 2016.

It has been submitted on behalf of the petitioner that
there is no recovery of any liquor from possession of the
petitioner. He has been made accused merely on suspicion. As per
written report, the informant having got secret information, raided
Hulasi Tola and found some Mahua and four litres of Mahua
liquor from a ditch. He got the information that the land in
question belongs to one Jaleshear Rai. It is further alleged that this
petitioner and said Jaleshwar Rai are indulged in business of the
liquor. In paragraph-3, it has been mentioned that the petitioner



has no criminal antecedent.

In such circumstances, prayer for anticipatory bail is allowed it is ordered that the petitioner named above, in the event of his arrest or surrender in the court below within four 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 Maner P.S. Case No. 536 of 2016 to the satisfaction of Sri Randhir Kumar, learned Judicial Magistrate, Danapur, Patna 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 petitioners 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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