

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53372 of 2017

Arising Out of PS.Case No. -174 Year- 2017 Thana -VAISHALI District- VAISHALI(HAJIPUR)

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Mahesh Kumar Rai, S/o Late Ramchandra Rai, R/o Village- Patera Tok,
O.P. Belsar, P.S.+District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Rina Sinha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 14-11-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Vaishali (Belsar O.P.) P.S. Case No. 174 of 2017 instituted for the offence under Sections 30 (A), 35(A) of Bihar Prohibition & Excise Act 2016.

It has been submitted on behalf of the petitioner that the petitioner is the owner of the alleged vehicle from which foreign liquor have been recovered. He has no knowledge about the articles loaded in the vehicle. From the seizure list it appears that there is no recovery of any foreign liquor 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 bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount in connection with Vaishali (Belsar O.P.) P.S. Case No. 174 of 2017 to the satisfaction of learned Additional Sessions JudgeII, Vaishali at Hajipur 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 bonds of the petitioner and (3) if the petitioner tamper 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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