

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62477 of 2017

Arising Out of PS.Case No. -279 Year- 2017 Thana -DARIYAPUR District- SARAN

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Hira Kumar @ Hira Lal Sah, S/o Bhuteli Sah, R/o Village- Akbarpur, P.S.-
Dariyapur, Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash, Advocate.

For the Opposite Party/s : Mr. Jai Narain Thakur, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 22-12-2017

Heard learned counsel for the petitioner and the State.

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

Case No. 279 of 2017 instituted for the offence under Sections 30 and
30(a) of the Bihar Prohibition and Excise Act, 2016.

It is alleged in the written report that police on getting
confidential information that two persons were carrying illicit liquor,
arrived at the place of occurrence and saw two persons namely Ashok
Ray and Hira Kumar (petitioner) running away leaving one motorcycle.
The police recovered total 70.200 litres of liquor and one motorcycle.

The seizure list is enclosed with the First Information
Report which does not bear signature either of this petitioner or any of
his family members. As such, from the seizure list it appears that there
is no recovery from conscious possession of this petitioner.

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 **Dariyapur P.S. Case No. 279 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 A.D.J. 6th-cum-Special Judge, Excise, Saran at Chapra**, 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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