

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55013 of 2017

Arising Out of PS.Case No. -559 Year- 2017 Thana -BETTIAH CITY District-
WESTCHAMPARAN(BETTIAH)

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Deepak Kumar @ Deepak Sah, S/o Kishori Sah, r/o Basawariya, P.S.-
Bettiah Town, District- West Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate.

For the Opposite Party/s : Mr. Rajendra Prasad Nat, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 16-11-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Bettiah Town**
P.S. Case No. 559 of 2017 instituted for the offence under Section
30A of Bihar Excise Prohibition and Excise Act.

It has been submitted that there is no recovery from conscious possession of this petitioner. The recovery is said to be made from a pick-up van. The driver of the pick-up van disclosed that he has taken consignment from Deepak Patel. It has further been submitted that Deepak Patel has taken the godown of the petitioner on rent for keeping potato. The aforesaid godown was also searched by the police but no liquor was found there.

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 **Bettiah Town P.S. Case No. 559 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 Special Judge, Excise, Bettiah, West Champaran**, 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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