

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62362 of 2017

Arising Out of PS.Case No. -457 Year- 2017 Thana -SIWAN MUFFASIL District- SIWAN

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Harish Chandra Chauhan @ Hari Chandra Chauhan, son of late Nageshwar Chauhan, resident of village Khurmabad, P.S. Siwan Muffasil, Distt. Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate.

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 20-12-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Siwan Muffasil P.S. Case No. 457 of 2017** instituted for the offence under Sections 272, 273, 308, 420 of the Indian Penal Code, Sections 41 (1), 30(A), (B), (C) and 35 of Bihar Prohibition and Excise Act, 2016.

From the seizure list enclosed with the First Information Report it appears that alleged country made liquor has been recovered from behind old *Bhatti* situated at Lalit Bus Stand, Khurmabad. The name of this petitioner was disclosed to the police by the person present there. As such, there is no any recovery from conscious possession of this petitioner.

It is mentioned in paragraph-3 of the bail petition that petitioner has no criminal antecedent.



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 **Siwan Muffasil P.S. Case No. 457 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 2nd Additional Sessions Judge-cum-Special Judge, Siwan**, 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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