

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57261 of 2017

Arising Out of PS.Case No. -298 Year- 2016 Thana -BARACHATTI District- GAYA

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Sanjay Kumar Gupta, Son of Jagdish Gupta, Resident of Village- Salgawan,
P.S.- Katankamdag, District- Hazaribagh (Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate.

For the Opposite Party/s : Mr. Lalan Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 07-12-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Barachatty**
P.S. Case No. 298 of 2016 instituted for the offence under
Sections 272, 273, 120(B) of the Indian Penal Code, Sections
47(a), 48(2), 49, 54 and 63 of Bihar Excise (Amendment) Act..

It is alleged that two Bolero vehicles were found by
the police near G.T. road at different places. The informant started
searching and found a Bolero vehicle bearing registration No. JH-
02AE-9104 near Kanchanpur Ghorsari west of Jai Maa Durga
Transport and another Bolero vehicle bearing registration No. JH
02AJ-8083 was found standing near Fauji Hotel and both the
vehicles were locked. On search of the vehicles 19 cartons Royal
Stag premier whiskey total 170.64 litres and 120 litres country



made wine was recovered. The petitioner is said to be the owner of the vehicle No. JH02AJ-8083.

Learned counsel for the petitioner has submitted that aforesaid vehicle has already been given by the petitioner to one Rahul Singh after entering into an agreement on 1.6.2016 as Annexure-2 prior to the occurrence.

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 **Barachatty P.S. Case No. 298 of 2016**, 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 **Additional Chief Judicial Magistrate, Sherghaty, Gaya**, 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.

S.Ali/-

(Sanjay Priya, J)

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