

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10266 of 2017

Arising Out of PS.Case No. -321 Year- 2016 Thana -KADWA District- KATIHAR

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1. Anil Kumar Thakur son of Ashok Thakur Resident of Mohalla - Naya Tola Daheria, P.S. - Katihar (Town), District - Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anang Mohan Sinha

For the Opposite Party/s : Mr. Ram Bachan Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 06-03-2017 The petitioner seeks regular bail in connection with Kadwa P.S. Case No. 321 of 2016, registered for offences punishable under Sections 272 and 273 of Indian Penal Code and Section 30(a) and 37(a) of Bihar Prohibition and Excise Act, 2016.

It has been submitted on behalf of the petitioner that though petitioner has been named in the F.I.R. but from perusal of the F.I.R. itself it will appear that he has not been apprehended on spot, he has been arrested in this case after one day, however nothing has been recovered from the possession of the petitioner and petitioner has clean antecedent and has been in judicial custody since 28.12.2016.

Heard learned A.P.P. also.

Having heard both sides, in view of the fact that save and except suspicion there is nothing against the petitioner and though he is named in the F.I.R., however, nothing has been recovered from the possession of the petitioner and he has been in judicial custody for more than two months, as such let the petitioner,



above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM - IV, Katihar in connection with Kadwa P.S. Case No. 321 of 2016, with following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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