

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62390 of 2017

Arising Out of PS.Case No. -122 Year- 2017 Thana -GAYA MUFFSIL District- GAYA

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Guddu Kumar @ Guddu Yadav, son of Kailu Yadav, resident of village
Maniara, P.S. Mufassil, Distt. Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Syed Ehteshamuddin, Advocate.

For the Opposite Party/s : Mr. Murlidhar, 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 **Mufassil P.S.**

Case No. 122 of 2017 instituted for the offence under Section
30(a) of Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner has submitted that
there is no recovery from conscious possession of this petitioner.
His name has been disclosed by Ajay Yadav who was
apprehended by the police.

The seizure list is enclosed with the written report
which bears signature of Ajay Yadav.

From the seizure list it appears that there is no
recovery of any liquor 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 **Mufassil P.S. Case No. 122 of 2017 (G.R. No. 2573 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), 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.

(Sanjay Priya, J)

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