

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62408 of 2017

Arising Out of PS.Case No. -68 Year- 2017 Thana -GAYA MUFFSIL District- GAYA

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Mantu Yadav, son of late Ramdeo Yadav, resident of village Maniava, P.S.
Mufassil, P.O. Gaya, Distt. Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh, Advocate.

For the Opposite Party/s : Smt. Asha Devi, 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. 68 of 2017 instituted for the offence under Sections 272,
273 of the Indian Penal Code and Section 30(A) of the Excise Act,
2016.

It is alleged that 4 litres of Mahua liquor has been
recovered from the house of this petitioner.

From the written report it appears that petitioner was
not present at the time of recovery as he managed to run away.

The seizure list is enclosed with the First Information
Report. The seizure list does not bear signature either of this
petitioner or any of his family members. As such, there is no
recovery of any country made liquor from conscious possession of
this petitioner.



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. 68 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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