

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62355 of 2017

Arising Out of PS.Case No. -168 Year- 2017 Thana -TURKAULIYA District- EAST
CHAMPARAN (MOTIHARI)

=====

Upendra Prasad, son of Madan Prasad, resident of village Semra Bajar, P.S.
Turkaulia, Distt. East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate.

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

=====

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 **Turkauliya**
P.S. Case No. 168 of 2017 instituted for the offence under
Sections 272, 273/34 of the Indian Penal Code, Sections 33, 36,
38(1) and 41(1) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner has submitted that
the petitioner has been named in the written report merely on
suspicion. He has clean antecedent.

The seizure list is enclosed with the written report
wherein it is mentioned that seizure of spirit has been made by the
side of Sikarhana river near Banswari Pain (Nahar.)

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 **Turkauliya P.S. Case No. 168 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, Motihari, East Chaparan**, 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)

S.Ali/-

U		T	
---	--	---	--

