

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56736 of 2017

Arising Out of PS.Case No. -197 Year- 2017 Thana -MANER District- PATNA

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1. Raj Kishor Rai Son of Late Badri Rai, and
2. Bhanu Rai, Son of Gayana Rai, Both are Resident of Village-Badal Tola,
Haldi Chhapra, P.s.-Maner, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nil Kamal
Kumari Priyanka, Advocates.

For the State : Dr. Rabindra Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 01-12-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Maner P.S. Case No.
197 of 2017 instituted for the offence under Sections-290, 272, 273 of
the Indian Penal Code and Section-30-A of Bihar Excise Act, 2016.

As per seizure list, illicit liquor has been recovered from
Haldi Chapra Ghat of Ganga river and concerned police station was
informed. It is stated that three persons managed to run away after
swimming in the water leaving the boat. The seizure list was prepared
and two witnesses put their signature as mentioned in the seizure list.
These two witnesses disclosed the name of petitioners. As such, there is
no recovery from conscious possession of the petitioners. In paragraph-
3 of the petition, it has been mentioned that the petitioners have no
criminal antecedent.



In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Maner P.S. Case No. 197 of 2017 to the satisfaction of learned Special Judge, Excise, Patna subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners 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 petitioners and (3) if petitioners tamper 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 petitioners.

(Sanjay Priya, J)

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