

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57017 of 2017

Arising Out of PS.Case No. -303 Year- 2017 Thana -MARHAURA District- SARAN

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Amit Kumar @ Amit Kumar Rai @ Amit Rai, son of Ram Nath Rai,
resident of village Asoiyan, P.S. Marhowrah, Distt. Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr. Kumar Virendra Narayan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 05-12-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Marhowrah**
P.S. Case No. 303 of 2017 instituted for the offence under
Sections 188, 272, 273, 308, 34 of the Indian Penal Code, Sections
30, 30(a), 33 and 38(1) of the Bihar Prohibition of Excise Act,
2016.

As per written report, recovery of country made liquor
has been made from the land of Arun Rai and Raja Singh. It is
mentioned in the written report that Raja Singh has taken the land
on lease from the petitioner and on that statement, the name of this
petitioner has come in the instant case.

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 **Marhowrah P.S. Case No. 303 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 Chief Judicial Magistrate-IXth, Saran at Chapra**, 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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