

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57485 of 2017

Arising Out of PS.Case No. -156 Year- 2017 Thana -MADHUBANI TOWN District-
MADHUBANI

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Manish Choudhary, S/o Bal Deo Choudhary, R/o Village- Bara Bazar, P.S.-
Madhubani Town , District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate.

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 07-12-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Madhubani Town P.S. Case No. 156 of 2017** instituted for the offence under Sections 272, 273 of the Indian Penal Code, Sections 30(i), 36 and 41 of Bihar Prohibition and Excise Act.

As per seizure list, the liquor has been seized from the dilapidated house of Dukhaharan Panjiyar. In the written report it is alleged that aforesaid house was taken on rent by the petitioner. 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 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 **Madhubani Town P.S. Case No. 156 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 **Ind Additional Sessions Judge cum-Special Judge, Excise Act, Madhubani**, 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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