

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48658 of 2017

Arising Out of PS.Case No. -74 Year- 2017 Thana -KALYANPUR District- SAMASTIPUR

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Kamlu Mahto, S/o Late Singeshwar Mahto, r/o village- Purushottampur,
P.S.- Kalyanpur, District- Samastipur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate.

For the Opposite Party/s : Dr. Mrityunjaya Kr.Gautam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 13-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Kalyanpur**
P.S. Case No. 74 of 2017 instituted for the offence under Sections
272, 273 of the Indian Penal Code and Sections 30/38 of the Bihar
Excise Amendment Act, 2016.

There is allegation in the written report that ten litres
of water mixed with Jaggery was recovered from possession of
this petitioner and from two other persons.

The seizure list has been enclosed with the First
Information Report but it does not bear signature of either this
petitioner or any of his family members.

It is mentioned in paragraph-3 of the bail petition that
petitioner has clean 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 **Kalyanpur P.S. Case No. 74 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 **Additional Sessions Judge 6th, Samastipur**, 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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