

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46996 of 2017

Arising Out of PS.Case No. -162 Year- 2017 Thana -MALSALAMI District- PATNA

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1. CHHOTU SINGH @ NATWA, S/o Rampreet Singh, R/o Moh.- Bundel
Toli, P.S.- Malsalami, Distt- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nityanand Kumar

For the Opposite Party/s : Mr. Smt. Reena Sinha

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 14-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Malasalami P.S. Case
No. 162 of 2017 instituted for the offence under Section-30(a) of Bihar
Prohibition and Excise Act, 2016.

As per written report, one Gaurav Kumar @ Biltu was
apprehended with country-made liquor as mentioned in the written
report. He disclosed before the police that the aforesaid liquor has been
given to them by this petitioner and other accused persons as mentioned
in the FIR. As such, there is no recovery from possession of the
petitioner. In paragraph-3 of the petition, it has been mentioned that the
petitioner has no criminal antecedent.

In such circumstances, prayer for anticipatory bail is
allowed and it is ordered that the petitioner named above in the event
of his 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 Malasalami P.S. Case No. 162 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) 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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