

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51348 of 2017

Arising Out of PS.Case No. -209 Year- 2017 Thana -BARHARA District- BHOJPUR

- =====
1. Chandan Sah
 2. Bhola Sah s/o Krishna Sah, r/v-Nathamalpur, P.s. – Barahara, District Bhojpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Adv.

For the Opposite Party/s : Mr. Anil Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-11-2017 Learned counsel for the petitioners submits that petitioner no. 1 has already been arrested. Therefore, the anticipatory bail petition of petitioner no. 1 is dismissed and withdrawn.

Heard learned counsel for the petitioner and the State.

The petitioner No. 2 apprehends his arrest in Barahara P.S. Case No. 209/2017 instituted for the offence under Sections 30(A) and 56(E) of the Bihar Excise Amendment Act.

Counsel for the petitioner has submitted that the alleged recovery is said to have taken place from the poultry farm of this petitioner. Seizure list enclosed with the F.I.R. does not bear signature of either of these petitioners or any family member of the petitioners.

Considering the facts and circumstances of the case,



prayer for anticipatory bail of the petitioner no. 2 is allowed. In the event of surrender/arrest of the petitioner no. 2 named above, within six weeks from today, in connection with Barahara P.S. Case No. 209/2017, shall be enlarged 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 the learned Chief Judicial Magistrate, Bhojpur at Ara, subject to the conditions as laid down under Section 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)

Vinita/-

U		T	
---	--	---	--

