

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61205 of 2018

Arising Out of PS. Case No.-141 Year-2018 Thana- ISHAKCHAK District- Bhagalpur

Shivendu Kumar Pathak @ Shivendu Pathak, Son of Prabhash Chandra Pathak, Resident of Village- Kaitpura, P.S.- Barahat, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vipin Kumar

For the Opposite Party/s : Mr. Md. Arif

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 05-10-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 30(a)/30(d) of the Bihar Prohibition and Excise Act, 2016.

From the house of *Sujit Kumar Mishra* liquor was recovered by the Police. *Sujit* disclosed that the said room is under tenancy of this petitioner. The petitioner was not there.

Submission is that if, the petitioner was not there, there was no reason to open his room, nor it has been explained in the F.I.R., as to under what circumstances room of the petitioner was opened. Petitioner has got no such criminal antecedent.

Considering the aforesaid facts, especially the fact



that there is no direct allegation against the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Ishak Chak Police Station Case No.141 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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