

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74766 of 2018

Arising Out of PS. Case No.-514 Year-2018 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Mohan Kumar S/o- Natho Ram @ Natho Roy, resident of Village- Sonbarsa,
P.S.- Bihpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashutosh Kumar
For the Opposite Party/s : Mr.Sri Matloob Rab

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 20-12-2018 Heard learned counsel for the petitioner and

learned APP representing the State.

Petitioner is seeking anticipatory bail in
connection with Kotwali (Barari) P.S. Case No. 514 of 2018
registered for the offences punishable under Section 30(A)
of Bihar Prohibition and Excise Act, 2016.

As per the First Information Report, allegation
against the petitioner is that he had fled away on seeing the
police party.

Learned counsel for the petitioner submits that this
petitioner has been falsely implicated in this case on the
basis of the so-called confessional statement of the accused



who was arrested at the spot. The allegation is that the petitioner had fled away. It is submitted that one co-accused who was also involved in this case on the basis of the confessional statement has been granted privilege of anticipatory bail by a learned coordinate Bench of this Court in Cr.Misc. No.62977 of 2018 vide order dated 09.10.2018. It is also submitted that the petitioner has got no criminal antecedent.

Learned APP for the State is present and has opposed the prayer for bail.

In the given facts and circumstances, in case of arrest or surrender of the petitioner within a period of four weeks from today, the abovenamed petitioner shall be enlarged on bail on furnishing bail bond of Rs.15,000/- (rupees fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd District and Sessions Judge-cum-Special Judge, Excise, Bhagalpur, in connection with Kotwali (Barari) P.S. Case No. 514 of 2018, subject to the condition that petitioner shall join the investigation by reporting to the Investigating Officer within a period of three weeks from today and shall



cooperate in course of investigation, failing which the Investigating Officer shall be at liberty to take steps for cancellation of his bail bond. This will be in addition to condition prescribed under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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