

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4726 of 2018

Arising Out of PS.Case No. -29 Year- 2017 Thana -LADIYA TAND District- MUNGER

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1. Md. Shahnabaz Hussain @ Sheru S/o Md. Mukhtar, R/o vill.- Banglawas,
P.S.- Dharhara (Laraiyatar), District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Jha, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahani, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 17-02-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Laraiyatar P.S. Case No. 29 of 2017 instituted for the offence under Sections 30/32 of the Bihar Excise and Prohibition Act, 2016 and Sections 2(e),3/5(B), 18 of the Bihar State Mahua Flowers Act, 2006.

It is alleged that 50 kg of Mahua was found from a bag which is alleged to have been thrown by the petitioner who fled away after seeing the police.

Learned counsel for the petitioner has submitted that there is no recovery from possession of the petitioner. It has been further submitted that the petitioner has clean antecedent. He has falsely been implicated in this case.

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 bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Laraiyatar P.S. Case No. 29 of 2017 to the satisfaction of learned Additional Sessions Judge, V, Munger subject to condition as laid down u/S 438 (2) of the Cr. P.C. with further conditions (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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioner and (3) if the 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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