

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30942 of 2018

Arising Out of PS. Case No.-115 Year-2018 Thana- BIHARSHARIF District- Nalanda

JITENDRA SINGH @ PHOTO MAHTO Son of Kishori Singh resident of
Mohalla - Siris Tal Amber, P.S. - Bihar, District – Nalanda

... Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr. Raj Bansh Dubey, Adv.

For the Opposite Party : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 22-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner apprehends his arrest in connection
with Bihar P.S. Case No. 115 of 2018 instituted for the offences
under Sections 30 and 30(A) of the Bihar Prohibition and
Excise Act, 2016.

Counsel for the petitioner submits the foreign
liquor has been seized from the house of Jittu Yadav. The
seizure list is part of the first information report which shows
that it bears signature of Jittu Yadav. Jittu Yadav before the
police has taken the name of this petitioner. In this manner
from the written report itself it is apparent that there is no
recovery from the possession of this petitioner. He has been
named by co-accused, Jittu Yadav.

In the facts and circumstances of the case, prayer of



the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Bihar P.S. Case No. 115 of 2018 he shall be released 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 Additional Sessions Judge VI-cum-Special Judge, Nalanda at Biharsharif, subject to the conditions as laid down under Section 438(2) Criminal Procedure Code 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 his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond 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)

Shamshad/-

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