

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4703 of 2018

Arising Out of PS. Case No.-678 Year-2017 Thana- TURKAULIYA District- East
Champaran

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Gopal Sah S/o Ram Govind Sah, R/o Village- Daroga Tola, P.S.- Banjariya,
District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar @ Sonu Babu
For the Opposite Party/s : Smt. Asha Devi

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 30-01-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends his arrest in Turkauliya (Banjariya)
P.S. case no. 678 of 2017, instituted for the offence under
Section(s) 272, 273 of the Indian Penal Code and Sections
30(a), 38(2) and 41 of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that from the
seizure list enclosed with the F.I.R. itself it would appear that no
seizure was made from the possession of the petitioner. It is
mentioned in the seizure list that Nepali liquor were seized
from the Daroga Tola.

In the written report, it is alleged that the name of the



petitioner has been disclosed by the local people.

It is submitted that other accused persons with similar allegations have already been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 14.12.2017 passed in Cr. Misc. No. 61105 of 2017 (Annexure-2).

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 Turkauliya (Banjariya) P.S. case no. 678 of 2017, 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 learned Special Judge, Excise, Motihari, East Champaran, subject to the conditions as laid down under Section 438(2) 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)

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