

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6307 of 2019

Arising Out of PS. Case No.-339 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Saharsa

Kundan Yadav @ Kundan Kumar, Male, Aged about 26 Years, Son of Sri
Upendra Yadav R/o Village- Aaran, Ward No. 6, Bishanpur P.S.- Bihra &
Dist. Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Singh

For the Opposite Party/s : Mr.Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

2 05-02-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is apprehending his
arrest in connection with Special Case No. 339 of 2018
registered for offences under sections 30(a) of the Bihar
Prohibition & Excise Act, 2016.

As per allegation, 4.08 liter of liquor were
recovered from the semi-constructed house of the petitioner.

Looking to the quantity of the liquor recovered as
also the entire facts and circumstances of the case, let the
petitioner, namely, Kundan Yadav @ Kundan Kumar, in the
event of his arrest or surrender before the court below within a
period of four weeks from today, be released on bail on
furnishing bail bond of Rs. 10,000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of learned Special Judge [Excise Act] cum Additional Sessions Judge II at Saharsa in connection with Special (Excise) Case No. 339 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, he will remain present and if he would not present himself, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

However, at the time of accepting bail bonds, the court below will verify and ensure itself regarding criminal antecedent of the petitioner and if it is found that the petitioner has clean antecedent, his bail bond will be accepted but, if it is found that the petitioner is involved in any other case before filing of the present case i.e. 2.2.2019, then he would not be released.

(Shivaji Pandey, J)

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