

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12330 of 2019

Arising Out of PS. Case No.-1 Year-2019 Thana- MUSAHARI District- Muzaffarpur

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Ankit Kumar @ Aniket Kumar, aged about 20 years (Male), Son of Anutha Sah Resident of Village - Nayagaon, P. S. Mushahari, Distt. Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anish Kumar

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 28-02-2019 Heard learned counsel for the petitioner and

learned counsel for the State.

In this case, the petitioner is apprehending his arrest in connection with Mushahari P.S. Case No. 01 of 2019 (G.R. No. 11 of 2019) registered for offences under sections 272, 273 of the Indian Penal Code and Section 30(a), 36 and 38 of the Bihar Prohibition and Excise Act, 2016.

As per allegation made in the F.I.R., 5.73 liter of foreign liquor has been recovered from the underneath of straw kept behind the house of the petitioner.

The petitioner has got no criminal antecedent as has been stated in paragraph no.3 of this application.

Looking to the quantity of liquor recovered as also the entire facts and circumstances of the case, let the petitioner,



above named, 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, Muzaffarpur in connection with Mushahari P.S. Case No. 01 of 2019 (G.R. No. 11 of 2019), 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. 27.2.2019, then he would not be released.

(Shivaji Pandey, J)

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