

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17408 of 2019

Arising Out of PS. Case No.-459 Year-2018 Thana- UDWANTNAGAR District- Bhojpur

SHIO PRASAN BIN Son of Keshwar Bin, Resident of Village - Chhota
Sasaram, Saraiya, P.S.- Udwantnagar, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Maya Shankar Mishra

For the Opposite Party/s : Asha Devi

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 27-03-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory bail in connection with Excise Case No. 2111 of 2018 arising out of Udwantnagar (Gajrajganj) P.S. Case No. 459 of 2018 registered for offence punishable under section 30(a) of the Bihar Prohibition Excise Act, 2016.

The police has intercepted two persons who are carrying 15 litres each of mahua liquor.

The learned counsel for the petitioner submits that the petitioner has no criminal antecedent but there is allegation against the petitioner that he was carrying 15 litres of mahua wine.

Looking to the quantity of liquor and the petitioner has no criminal antecedent, the prayer for bail of the petitioner is allowed and he, in the event of arrest or surrender before the court below



within six weeks from today, is directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of 4th Additional Sessions Judge-cum-Special Judge Excise Act, Bhojpur at Ara in connection with Excise Case No.2111 of 2018 arising out of Udwanthnagar (Gajrajganj) P.S. Case No. 459 of 2018, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court. If the petitioner is found involved in similar type of allegation in future, the prosecution will have liberty to file an application for cancellation of his bail bond. Whenever the Police will call the petitioner for the purpose of interrogation/investigation, he would present himself, In case of failure, the prosecution will have liberty to make a prayer for cancellation of his bail before the court below.

(Shivaji Pandey, J)

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