

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21816 of 2019**

Arising Out of PS. Case No.-532 Year-2018 Thana- MINAPUR District- Muzaffarpur

Santosh Kumar @ Sanosh Kumar, aged about 22 years, Male, Son of Vishwanath Bhagat, Resident of Village-Ali Neora,P.S-Minapur, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Parasmani

For the Opposite Party/s : Mr.Md. Nazir Ansari

**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER**

2 08-04-2019 Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is apprehending his arrest in connection with Minapur P.S. Case No. 532 of 2018 registered for offences under sections 272 and 273 of the Indian Penal Code and Section 30(a), 38, 41 and 48 of the Prohibition of Excise Act, 2016.

As per allegation made in the F.I.R., the police has recovered 20 liters of spirit from the house of the petitioner.

Learned counsel for the petitioner submits that the petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail petition.

Looking to the quantity of spirit recovered, let the petitioner, namely, 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 Minapur P.S. Case No. 532 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. 5.4.2019, then he would not be released.

(Shivaji Pandey, J)

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