

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23855 of 2019

Arising Out of PS. Case No.-302 Year-2018 Thana- BIRPUR District- Supaul

Shubham Kumar @ Shubham Anand, aged 32 years, Male, Son of Ashok Kumar Yadav @ Ashok Bhindwar, Resident of Village-Birpur, Ward No.12, P.S.-Birpur, District-Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vivek Kumar
For the Opposite Party/s : Ms.Rita Verma

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 15-04-2019 Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is apprehending his arrest in connection with S.T. Excise 898 of 2018 arising out of Birpur P.S. Case No. 302 of 2018 registered for offences under sections 414 of the Indian Penal Code and Section 30(A) of the Bihar Excise Prohibition Act.

As per prosecution case, during patrolling hour, the police has recovered 8.77 liters of country made Nepali liquor from the Splendor Motorcycle.

Learned counsel for the petitioner submits that the petitioner has no criminal antecedent and his name has surfaced on the confessional statement of one Dipesh Yadav @ Virat Yadav.

Looking to 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 Additional District and Sessions Judge, 2nd cum Special Judge, Excise, Supaul in connection with S.T. Excise 898 of 2018 arising out of Birpur P.S. Case No. 302 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. 11.4.2019, then he would not be released.

(Shivaji Pandey, J)

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