

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29614 of 2019

Arising Out of PS. Case No.-81 Year-2019 Thana- HARSIDHI District- East Champaran

Chuman Kumar, aged about 24 years (M), son of Surendra Prasad @ Surendra Patel, resident of Village - Barmaswa, P.S.- Harsidhi, Dist.- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. kuNDAN Rathore, Advocate

For the Opposite Party/s : Mr.Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 06-05-2019 Heard learned counsel for the petitioner and
learned counsel for the State.

In this case, the petitioner is seeking anticipatory bail in connection with Harsidhi P.S. Case No. 81 of 2019, registered for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

On secret information, the Police went near Gaayghat Chowk, where two persons were standing near a motor-cycle. On seeing the Police party, they started fleeing away, but one person was apprehended. On search, about 1/2 liter of foreign liquor has been recovered near the road. The arrested persons disclosed that the person who has fled away is the present petitioner.



Learned counsel for the petitioner submits that the petitioner has no criminal antecedent.

Looking to quantity of recovered liquor, let the above-named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the 7th Additional Sessions Judge-cum-Special Judge, Excise, Motihari, East Champaran, in connection with Harsidhi P.S. Case no. 81 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

However, at the time of accepting bail bonds, the court below would verify and assure itself regarding the criminal antecedent of the petitioner. If he is having clean antecedent, then his bail bond would be accepted. If he is found to be involved in any other case before filing of this application i.e. 03.05.2019 then his bail bond would not be accepted.

(Shivaji Pandey, J)

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