

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31808 of 2019

Arising Out of PS. Case No.-101 Year-2019 Thana- MAHARAJGANJ District- Siwan

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ASHOK GUPTA @ ASHOK PRASAD Son of Late Srinath Sah, Resident of
Village- Risaura, P.S.- Maharajganj, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raghav Prasad
For the Opposite Party/s : Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 15-05-2019 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 Maharajganj P.S. Case No. 101 of 2019
registered for offence punishable under section 272, 273, 308 of
the Indian Penal Code and 41 (1) of the Bihar Excise
Prohibition Act, 2016.

It has been alleged that the police has recovered the
illegal liquor from the bag which the petitioner was carrying. As
per the petitioner, 7.5 litres liquor was recovered from the said
bag, but as per the State, total 15 litres liquor has been
recovered.

Looking to the quantity of liquor and the petitioner
having 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 2nd Additional Sessions Judge, Siwan in connection with Maharajganj P.S. Case No. 101 of 2019, 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.

(Shivaji Pandey, J)

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