

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33861 of 2019

Arising Out of PS. Case No.-39 Year-2019 Thana- RAGHOPUR District- Vaishali

SAROJ RAY S/o Banaras Ray R/o Village- Jafarabad Tok, P.S.- Raghapur
(Rustampur O.P.), District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nityanand Kumar
For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

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

Petitioner in the present case is seeking anticipatory bail in connection with Raghapur P.S.(Rustampur O.P.) Case No.39 of 2019 registered for the offence punishable under Sections 30(a) and 32(iii) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner has got no criminal antecedent. It is submitted that his name has been brought in the present case on mere suspicion and in fact motorcycle which has been recovered or seized by the police does not belong to him.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner. However, no material could be brought to the notice of this Court at this stage to connect the petitioner in the present case.



In the given facts and circumstances of the case where the petitioner has got no criminal antecedent and the motorcycle in question does not belong to him, let the petitioner above named in case of his arrest or surrender within four weeks from today in connection with Raghapur P.S. (Rustampur O.P.) Case No.39 of 2019, be released on bail on execution of bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Spl. Judge Excise-cum-A.D.J.-II, Vaishali at Hazipur, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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