

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38896 of 2019

Arising Out of PS. Case No.-26 Year-2019 Thana- NAVINAGAR District- Aurangabad

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Anil Kumar @ Anil Prasad, Son of Sheomuni Prasad, Resident of Village -
Shahpur, P.O.- Shahpur Gorhwa Road, P.S.- Chainpur, District - Palamu,
Jharkhand.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey, Advocate

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 20-09-2019 Heard learned counsel for the petitioner. No one
appears on behalf of the State.

Petitioner in the present case is seeking anticipatory
bail in connection with Nabinagar P.S. Case No. 26 of 2019
registered for the offences punishable under Section 30(a) of
the Bihar Excise Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the
petitioner is not named in the F.I.R. and he has falsely been
implicated in the present case. It is further submitted that the
petitioner is said to be the owner of the vehicle and he has no
concern with the alleged occurrence. It is also submitted that
nothing has been recovered from the possession of the
petitioner.



Considering the facts and circumstances of the case, where the motorcycle in question was not being driven by this petitioner though the same is registered in his name and the person who was driving the motorcycle and using the same for carrying the illicit liquor has already been arrested by the Police and that the petitioner has no criminal antecedent as stated in paragraph 3 of the application, let the petitioner in the event of his arrest or surrender within a period of four weeks from today, be enlarged on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VII-cum-Special Judge (Excise), Aurangabad in connection with Nabinagar P.S. Case No. 26 of 2019, 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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