

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47390 of 2019

Arising Out of PS. Case No.-1 Year-2019 Thana- SAHAJITPUR District- Saran

ISHWAR PRASAD @ ISHWAR DEO SINGH @ ISHWARDEV SINGH Son
of Devendra Singh Resident of Ward No. 10, Motipur, P.S. - Samastipur,
District - Samastipur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Radhamohan Singh, Advocate
For the Opposite Party/s : Mr. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 17-10-2019 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner in the present case is seeking anticipatory bail in connection with Sahajitpur P.S. Case No. 01 of 2019 registered for the offences punishable under Sections 30 and 30(a) of Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that the name of the petitioner has transpired in the confessional statement of the co-accused and the petitioner has been described as Khalasi of the truck in question from which the illicit liquor (Spirit) has been recovered.

Learned counsel submits that this petitioner has got no criminal antecedent and a similarly situated accused Dhurendhar Sah @ Durendar Sah @ Dhurendhar Sah has been granted



privilege of anticipatory bail by a learned co-ordinate Bench of this Court in Cr. Misc. No. 16036 of 2019 copy of which is enclosed as Annexure '2' to the present application.

Learned APP for the State accepts the factual position that the case of this petitioner is similar to that of petitioner in Cr. Misc. No. 16036 of 2019.

In the given facts and circumstances of the case, let the petitioner above named in case of his arrest or surrender within a period of four weeks from today in connection with Sahajitpur P.S. Case No. 01 of 2019 be released on bail on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned 6th Additional District and Sessions Judge, Saran at Chapra, subject to the conditions 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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