

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42318 of 2019

Arising Out of PS. Case No.-95 Year-2019 Thana- KAUWAKOL District- Nawada

Sapan Yadav Son of Kameshwar Yadav, Resident of Village-Risri, Police Station-Sikandara, District-Jamui.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vibhuti Ranjan Sonvadra, Advocate

For the Opposite Party/s : Mr.Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 19-09-2019 Heard Learned counsel for the petitioner and
learned APP for the State.

The petitioner in the present case is seeking anticipatory bail in connection with Kawakole P.S. Case No. 95 of 2019 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act.

Learned counsel for the petitioner submits that when the petitioner had gone to Sasural, his motorcycle was being used by one Pankaj Kumar and while using that motorcycle he was caught by Police and the allegation has been made that he was carrying illicit liquor on the said motorcycle. It is submitted that since the petitioner is the registered owner of the vehicle he has been made accused in the present case.



Learned counsel for the State is present and has opposed the prayer of anticipatory bail.

However, considering the facts and circumstances of the case wherein the vehicle was found in possession of the co-accused Pankaj Kumar who has already been arrested and illicit liquor was recovered while he was using the motorcycle, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today in connection with Kawakole P.S. Case No. 95 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 Additional Sessions Judge II-cum-Special Judge, Excise, Nawada, 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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