

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43902 of 2019

Arising Out of PS. Case No.-11 Year-2019 Thana- KOTHIGRAM District- Gaya

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Pramod Sao, s/o Janardan Sao, Resident of village- Sildaha Bazar, P.S.-
Pratappur, District- Chartra (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Sinha

For the Opposite Party/s : Mr.Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 24-09-2019 Heard learned counsel for the petitioner and learned
APP for State.

The petitioner in this case is seeking anticipatory bail in connection with Kothi P.S. Case No.11 of 2019 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case as according to him the motorcycle from which the recovery of illicit liquor has been made does not belong to this petitioner. He further submits that there is no recovery from the conscious possession of this petitioner and the petitioner has no criminal antecedent.

Considering the facts and circumstances of the case wherein it is submitted that the motorcycle in question does not belong to the petitioner and there is no other material to connect



this petitioner save and except to say that according to informant he was driving the motorcycle as also that the petitioner has no criminal antecedent, let the petitioner abovenamed 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 Special Excise Judge, Gaya in connection with Kothi P.S. Case No.11 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.

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(Rajeev Ranjan Prasad, J)

