

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43469 of 2019

Arising Out of PS. Case No.-92 Year-2019 Thana- KARAHGAR District- Rohtas

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Dadan Ram, Son of Late Sigasan Ram, Resident of village - Bahuara, P.S.-
Kargahar, Dist.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra
For the Opposite Party/s : Mr.Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 20-09-2019 Heard learned counsel for the petitioner and learned
APP for State.

The petitioner in this case is seeking anticipatory bail in connection with Kargahar P.S. Case No.92 of 2019 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 and Sections 272 and 273 of the Indian Penal Code.

Learned counsel for the petitioner submits that the recovery of illicit liquor has taken place from an old and dilapidated house where the petitioner is not residing and this fact has come in the case diary in course of investigation. It is thus submitted that the seizure is not from the conscious possession of this petitioner.

Learned APP for the State has after going through the



case diary submitted that in paragraph 20 of the case diary it has come that the petitioner is not residing in the said house.

In the given facts and circumstances of the case as it has come in course of investigation that the petitioner is not residing in the house from which the recovery has been made and the petitioner has no criminal antecedent, let the petitioner above named 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 2nd A.D.J.-cum-Special Judge, Excise, Rohtas at Sasaram in connection with Kargahar P.S. Case No.92 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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