

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71130 of 2019

Arising Out of PS. Case No.-198 Year-2019 Thana- SHEOHAR District- Sheohar

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1. VIKASH PATEL Son of Lagan Patel Resident of Village - Sheohar Ward No. 8, P.S.- Sheohar, Dist.- Sheohar.
 2. Gopal Patel Son of Rambabu Patel Resident of Village - Sheohar Ward no.8, P.S.- and Distt.- Sheohar.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Madhubala Verma

For the Opposite Party/s : Mr.Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are seeking anticipatory bail in connection with Sheohar P.S. Case No. 198/2019 registered under Sections 30(a) of Bihar Prohibition & Excise Act, 2016.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in this case, it is alleged that illicit liquor not recovered from the conscious possession of the petitioners, however petitioners having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances of the case wherein it appears from the record that the petitioners are said to have fled away on seeing the police party after throwing 25 bottles of illicit liquors which according to the petitioners seems to be highly improbable story as in presence of so many policemen the petitioners cannot be fled away, the petitioners



have no criminal history and the quantity being 7.5 liters only, in the event of their arrest/surrender before the court below within a period of four weeks, let the above-named petitioners be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge – 1st – cum – Special Judge, Excise Act, Sheohar, in connection with Sheohar P.S. Case No. 198/2019, subject to 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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