

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72714 of 2019

Arising Out of PS. Case No.-84 Year-2019 Thana- BHAGWANGANJ District- Patna

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Anil Bind Son of Manik Bind @ Manika Bind, Resident of Village-Bara, P.S.-
Bhagwanganj, District-Patna.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioner and learned
APP for State.

The petitioner in this case is seeking anticipatory bail in connection with Special Case No. 7611 of 2019 arising out of Bhagwanganj P.S. Case No. 84 of 2019 registered for the offences punishable under Sections 30(a) and 37 (c) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that the petitioner is innocent. He has committed no offence and merely on the basis of being brother of co-accused Pandey Kumar he has been made accused in this case. Learned counsel further submits that no incriminating articles have been recovered from the conscious possession of the petitioner and he has no criminal antecedent.



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

Considering the facts and circumstances of the case wherein the seizure list shows that the recovery of illicit liquor has been made from the house of the brother of this petitioner and it is his own contention of learned APP for the State that the house seems to be a joint house, the petitioner having no criminal antecedent and no recovery from his conscious possession, let the petitioner 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 Judge Excise, Patna in connection with Special Case No. 7611 of 2019 arising out of Bhagwanganj P.S. Case No. 84 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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