

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75968 of 2019

Arising Out of PS. Case No.-238 Year-2019 Thana- SHAHKUND District- Bhagalpur

Chhotu Yadav, Son of Vinay Yadav @ Binay Kumar, Resident of Village-
Kasba Kharhi, P.S.- Sahkund, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indeshwari Prasad Mandal

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 25-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in this case is seeking anticipatory bail in connection with Sahkund P.S. Case No.238 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 nothing has been recovered from the conscious possession of the petitioner. Learned counsel submits that the name of the petitioner has transpired in the confessional statement of the co-accused.

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 it is the submission of the petitioner that nothing has been recovered from his conscious possession and that he has no criminal antecedent and he has been falsely implicated in this case, 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 Act), Bhagalpur in connection with Sahkund P.S. Case No.238 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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