

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80693 of 2019

Arising Out of PS. Case No.-110 Year-2019 Thana- JADOPUR District- Gopalganj

ANUP KUMAR S/o Amarjeet Singh Resident of Village- Patahara, P.S.-
Yadopur (Yadarpur), District- Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Harendra Prasad

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 13-12-2019 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner in the present case is seeking regular bail in connection with Yadavpur P.S. Case No. 110/2019 registered under Sections 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, the Investigating Officer of the case has intentionally dragged the name of this petitioner but no any independent witness has supported the prosecution version. Learned counsel submits that in this case investigation is complete and charge-sheet has already been filed, however petitioner is in



custody since 26.10.2019 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that petitioner has no criminal antecedent and the allegation is that of recovery of 29 liters of country made wine from the motorcycle in question, the investigation against the petitioner is complete and charge-sheet has already been filed, let the above-named petitioner be released 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 2nd Additional District Judge – cum- Special Judge, Excise, Gopalganj, in connection with Yadavpur P.S. Case No. 110/2019, subject to the condition as laid down under Section 437(3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected,



of the commission of which he is suspected, and

(c) that such 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 or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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