

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77654 of 2019

Arising Out of PS. Case No.-399 Year-2019 Thana- SITAMARHI District- Sitamarhi

CHHOTU KUMAR @ RAJNISH KUMAR @ CHHOTU S/O Munna Prasad
Resident of Village- Station road Ward No.24, P.S.- Mehsaul, District-
Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-11-2019 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Sitamarhi P.S. Case No. 399/2019 registered under Sections 272, 273/34 of the Indian Penal Code and 30(a) of Bihar Prohibition And Excise Act, 2016.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, his name has transpired in the confessional statement of the co-accused and petitioner has no criminal antecedent.

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

In the facts and circumstances of the case wherein



it is the submission of learned counsel for the petitioner that the illicit liquor allegedly recovered from the co-accused and that the name of the petitioner has transpired in the confessional statement of the co-accused who was apprehended by police as also the petitioner has no criminal antecedent, in the event of his arrest/surrender before the court below within a period of four weeks, let the above-named petitioner 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 A.D.J. - II – cum – Special Judge, Excise Act, Sitamarhi, in connection with Sitamarhi P.S. Case No. 399/2019, 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)

Rajeev/-

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