

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82693 of 2019

Arising Out of PS. Case No.-226 Year-2019 Thana- KASIMBAZAR District- Munger

Mithlesh Sah @ Mithlesh Kumar Son of Upendra Sah Resident of Village -
Hasanganj, P.S.- Kasimbazar, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

The petitioner apprehends his arrest in **Kasimbazar P.S. Case No. 226 of 2019**, registered for the offence punishable under Sections 30(a), 30(c), 30(d), 30(f), 33, 36, 44, 47 and 32 of the Bihar Prohibition and Excise Act, 2018 and sections 25(1-b)a, 26(i), 26(ii), 26(iii) and 35 of the Arms Act.

It is submitted by learned counsel appearing on behalf of petitioner that petitioner has falsely been implicated in this case. Nothing has been recovered from conscious possession of the petitioner. Name of petitioner has surfaced in this case on the basis of confessional statement of co-accused. Co-accused has been granted anticipatory bail by a coordinate Bench of this court vide order dated 03.12.2019 passed in Cr. Misc. No. 75533 of 2019. Petitioner has got clean antecedent.



Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Additional Sessions Judge IIIrd-cum-Special Judge, (Excise) Munger** in connection with **Kasimbazar P.S. Case No. 226 of 2019**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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