

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5369 of 2020

Arising Out of PS. Case No.-68 Year-2018 Thana- KONCH District- Gaya

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Raj Kumar @ Raj Kumar Ram, Male, aged about 30 years, S/o Anuj Ram R/o
village- Manjhigawan, P.S.- Kurtha, District- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 29-02-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is apprehending his
arrest in connection with Konch P.S. Case No. 68 of 2018
registered for offences under sections 30(a) (d) of the Bihar
Excise Act, 2016.

As per allegation, the police, on receipt of secret
information, has recovered 10 litres of Mahua and Kismiss
mixed in water.

The petitioner has got no criminal antecedent as
has been stated in paragraph no.3 of the present bail application.

Looking to the entire facts and circumstances of the
case, let the petitioner, above named, in the event of his arrest or
surrender before the court below within a period of four weeks
from today, be released on bail on furnishing bail bond of Rs.



10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Gaya in connection with Konch P.S. Case No. 68 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, he will remain present and if he would not present himself, the privilege of grant of anticipatory bail shall be deemed to have been canceled. It is also made clear that if the petitioner is repeats the similar offence in future, the prosecution will be at liberty to file an application for cancellation of the bail.

However, at the time of accepting bail bonds, the court below will verify and ensure itself regarding criminal antecedent of the petitioner and if it is found that the petitioner has clean antecedent, his bail bond will be accepted but, if it is found that the petitioner is involved in any other case before filing of the present case i.e. 24.1.2020, then he would not be released.

(Shivaji Pandey, J)

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