

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 3897 of 2020

Arising Out of PS. Case No.-329 Year-2019 Thana- PANCHRUKHI District- Siwan

Abhishek Kumar Son of Chhote Lal Jayaswal @ Chhote Lal Prasad Resident
of Village - Chaumukha P.S.- Pachrukhi, Distt - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 29-02-2020 Heard learned counsel for the parties.

The petitioner apprehends his arrest in Pachrukhi
P.S. Case No. 329 of 2019 registered for the offence under
Section 30(a) of Bihar Prohibition and Excise Act, 2016.

It is a case of recovery of about 2211 liters of
foreign liquor from the house of co-accused Uma Singh.

It is submitted on behalf of petitioner that petitioner
has falsely been implicated in this case and nothing has been
recovered from his conscious possession. It is further submitted
that mandatory provision of Section 100 Cr.P.C. has not been
followed with respect to search and seizure. Petitioner is having
no criminal antecedent.

Considering the aforesaid facts and circumstances
of the case, I am inclined to grant anticipatory bail to the above-
named petitioner, subject to deposit of Rs. 25,000/- (twenty five



thousand) in the court below and on deposit of the aforesaid amount, in the event of his arrest/surrender within a period of six weeks from today, the above named petitioner 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 learned 2nd Addl. Sessions Judge cum Special Judge, Excise, Siwan in connection with Pachrukhl P.S. Case No. 329 of 2019 on the following conditions:

“(1) Petitioner shall cooperate 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 on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

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

It is made clear that such deposit of Rs. 25,000/- (twenty five thousand) shall abide by the outcome of the criminal case.

(Prabhat Kumar Singh, J.)

anay

U		T	
---	--	---	--

