

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7945 of 2020

Arising Out of PS. Case No.-461 Year-2019 Thana- GOPALGANJ TOWN District-
Gopalganj

=====

JITESH KUMAR, Son of Late Bishwa Nath Manjhi, Resident of Village -
Shyam Cinema Road, P.S.- Gopalganj Town, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

=====

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

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

The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 30(a) of
Bihar Prohibition & Excise Amendment Act, 2018.

It is alleged that from a car 704.160 liters of country
made liquor was recovered and Amitesh Kumar who was
apprehended on the spot disclosed the name of petitioner and
other persons, who managed to escape from the said place.

It has been submitted on behalf of the petitioner that
he is innocent and has falsely been implicated in this case.



Neither the petitioner was present at the place of occurrence nor any illicit liquor has been recovered from his possession. Petitioner has been made accused on basis of so-called disclosure made by co-accused Amitesh Kumar. Petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Gopalganj Town P.S. Case No. 461 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(3) 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.

(4) If the petitioner is found involved in similar



nature of offences, after his release on bail the trial court shall take steps to cancel his bail bonds.

(S. Kumar, J)

Rajiv/-

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

