

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5373 of 2020

Arising Out of PS. Case No.-965 Year-2019 Thana- HAJIPUR District- Vaishali

Satendra Kumar @ Satendra Kumar Sachin @ Satendra Sah, aged about 40 years, Male, Son of Jawahar Sah Resident of Mohalla-Anwarpur, P.S.-Hajipur Town, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vasant Vikas

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

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 Hajipur Town P.S. Case No. 965 of 2019 registered for offences under sections 30(A)/38 of the Bihar Prohibition and Excise (Amendment) Act, 2016.

As per allegation, the police, on receipt of secret information, proceeded to the place of occurrence and recovered 11.34 litres of India made foreign liquor from there.

Learned counsel for the petitioner submits that the petitioner has got no criminal antecedent.

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 Additional Sessions Judge-II cum Excise Court, Vaishali at Hajiur in connection with Hajipur Town P.S. Case No. 965 of 2019, 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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