

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5333 of 2020

Arising Out of PS. Case No.-352 Year-2019 Thana- SHIVSAGAR District- Rohtas

Ayodhya Bind, aged about 35 years, Male, Son of Shivchand Bind Resident
of Village- Raipur Chor, P.S.- Sheosagar (Baddi O.P.), Distt- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhaneshwar Prasad Gupta

For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 02-03-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is apprehending his
arrest in connection with Sheosagar (Baddi O.P.) P.S. Case No.
352 of 2019 registered for offences under sections 30(a) of the
Bihar Prohibition and Excise Amendment Act, 2018.

As per allegation, the police has recovered one liter
country made liquor from the shop of the petitioner.

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

Looking to the quantity of liquor recovered as also
the petitioner having no criminal antecedent, 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 2nd Additional District and Sessions Judge cum Sepcial Judge Excise, Rohtas at Sasaram in connection with Sheosagar (Baddi O.P.) P.S. Case No. 352 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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