

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5367 of 2020

Arising Out of PS. Case No.-50 Year-2019 Thana- PARASI District- Jehanabad

Ram Kumar Sao, aged about 26 years, (M), S/o Shyamnandan Saw @ Shama
Saw R/o village and P.S.- Parasi, District- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Paras Nath

For the Opposite Party/s : Mr.Amarendra Prasad

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 Parasi P.S. Case No. 50 of 2019 registered for offences under sections 30(a) of the Bihar Prohibition & Excise Act, 2016.

As per allegation, the police, on receipt of secret information, recovered 30 litres of country made liquor and 80 K.G. fermented Mahua and other articles from the house of co-accused Subhash Sharma. Seeing the police, the accused persons fled away from there. The Chaukidar of the village has disclosed the name of the present petitioner.

Learned counsel for the petitioner submits that one co-accused person, namely, Bihari Sao has been granted



anticipatory bail vide order dated 26.11.2019 passed in Cr. Misc. No. 75435 of 2019.

The petitioner has got no criminal antecedent.

Looking to the quantity of liquor recovered as also considering 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, Jehanabad in connection with Parasi P.S. Case No. 50 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 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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