

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7826 of 2020

Arising Out of PS. Case No.-847 Year-2019 Thana- SARAIYA District- Muzaffarpur

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AMAN KUMAR, Son of Kishundeo Ray @ Krishna Dev Ray, Resident of
Village - Manikpur, P.S. - Saraiya, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Adv.

For the Opposite Party/s : Mr.Bishweshwar Ram (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 28-02-2020 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 414/34 of the Indian Penal code and Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

Allegation is recovery of 177.120 liters of illicit foreign liquor from the Alto car of the petitioner.

It is submitted on behalf of petitioner that he has been falsely implicated in this case. The alleged recovery of 177.120 liters of foreign liquor was not made from the Alto Car of the petitioner. Petitioner is neither the driver nor the owner of the alleged Alto Car. 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 Saraiya P.S. Case No. 847 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 bond.

(S. Kumar, J)

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