

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7441 of 2020

Arising Out of PS. Case No.-978 Year-2019 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

VISHNU DUTT Son of Late Chhathu Prasad Resident of Village - New
Colony Road No. 1, Balughat, P.S.- Town, Distt - Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Suresh Prasad, Advocate

For the Opposite Party/s : Mr.Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

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

The petitioner is seeking anticipatory bail in connection with Muzaffarpur Town P.S. Case No. 978/2019 registered under Sections 30(a), 38/41 of the Bihar Prohibition & Excise Act, 2016.

Learned counsel for the petitioner submits that it appears from seizure list itself that the liquor was recovered from the room of Sanjay Kumar who happened to be the brother of the petitioner, in fact there is no seizure from the room of this petitioner as also that the petitioner has no criminal antecedent. Learned counsel further submits that the co-accused Sanjay Kuamr has been released on bail by a



learned coordinate Bench of this court.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that from the seizure list itself it will appear that the liquor was recovered from the room of Sanjay Kumar who happened to be the brother of the petitioner, in fact there is no seizure from the room of this petitioner as also that the petitioner has no criminal antecedent and the co-accused Sanjay Kuamr has been released on bail by a learned coordinate Bench of this court, let the above-named petitioner, in the event of his arrest/surrender before the court below within a period of four weeks, be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Muzaffarpur, in connection with Muzaffarpur Town P.S. Case No. 978/2019, subject to condition as laid down under Section 438(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself



available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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