

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7468 of 2020

Arising Out of PS. Case No.-343 Year-2019 Thana- MOTIHARI MUFASIL District- East
Champaran

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Akash Kumar, S/o Bigu Sahani, Resident of Village- Bhawanipur, P.S. -
Muffasil, Distt- East Champaran, Motihari.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Advocate
For the Opposite Party/s : Mr.Yogendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

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

Petitioner in the present case is seeking anticipatory
bail in connection with Muffasil P.S. Case No. 343 of 2019
registered for the offences punishable under Sections 272 and
273/34 of the Indian Penal Code and Sections 41, 30(a) of Bihar
Excise and Prohibition Act, 2016.

Learned counsel for the petitioner submits that the
motorcycle in question belongs to the petitioner but he was not
in the vehicle and the accused person apprehended by police
only disclosed the name of the owner of the motorcycle.
Learned counsel also submits that petitioner has got no criminal
antecedent.



Learned A.P.P. for the State has opposed the prayer for bail.

Considering the submission of learned counsel for the petitioner that the motorcycle in question belongs to the petitioner but he was not found in the vehicle and the accused apprehended by police only disclosed the name of the owner of the motorcycle and it was not the allegation that this petitioner was on the motorcycle or had fled away from the place of occurrence as also that the petitioner has got no criminal antecedent, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today be enlarged on bail on furnishing bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned 9th Addl. Sessions Judge-cum-Special Judge, Excise, East Champaran, Motihari in connection with Muffasil P.S. Case No. 343 of 2019, subject to the 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)

vats/-

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