

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16821 of 2020

Arising Out of PS. Case No.-70 Year-2019 Thana- BISHWAMBHARPUR District-
Gopalganj

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FIROZ ALI S/o Ainul Haque R/o village- Tirbirwan, P.S.- Gopalganj,
District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan, Adv.
For the Opposite Party/s : Mr.Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 15-10-2020 The proceedings of the Court are being conducted
through Video Conferencing and the Advocates joined the
proceedings through Video Conferencing from their residence.

Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner apprehends his arrest in a case registered
under Sections 272, 273 and 380 of the Indian Penal Code and
30(A) of the Bihar Prohibition and Excise (Amendment) Act,
2018.

Allegation is recovery of 126 litres of illegal wine
from the car.

It has been submitted on behalf of petitioner that he is
innocent and has been falsely implicated in this case only on the



basis of confessional statement of apprehended person Bulet Kumar and except confessional statement there is no other incriminating material against petitioner. Nothing has been recovered from his possession. Similarly placed co-accused, namely, Pappu Kumar Yadav has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 28.02.2020 passed in Cr. Misc. No. 8221 of 2020. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, prayer of anticipatory bail is allowed and petitioner named above in the event of arrest or surrender before the court below within four weeks from today, Petitioner is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II cum Special Judge, Excise, Gopalganj, in connection with Bishwambharpur @ Vishambharpur P.S. Case No. 70 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure 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 represented on each and every date fixed by the court.

(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)

veena/rajiv-

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