

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16767 of 2020

Arising Out of PS. Case No.-19 Year-2020 Thana- SACHIVALAYA District- Patna

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BABLU KUMAR @ BABLU RAM Son of Late Suresh Ram Resident of
Mohalla- Railway Gumti No. 1 Jhoparpatti, P.S.- Sachivalaya, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

2 15-10-2020

Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise Act, 2018.

Allegation is recovery of 12 litres Mahua country-made liquor from the house of co-accused, Jhalla Devi and 12-13 litres of Mahua country made liquor was destroyed after it fell down. It is further alleged that petitioner resides with his maternal grandmother's house, namely Jhalla Devi since childhood and he is instrumental in the liquor business in connivance with his maternal grandmother.

It has been submitted on behalf of the petitioner that



petitioner is innocent and has falsely been implicated in this case. It is further submitted that neither petitioner was apprehended on the spot nor anything was recovered from the conscious possession of the petitioner. 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 Special Case No.1215 of 2020 arising out of Sachiwalya P.S. Case No.19 of 2020, 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 properly 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)

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