

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26618 of 2020

Arising Out of PS. Case No.-320 Year-2019 Thana- DURGAWATI District- Kaimur (Bhabua)

CHANDAN JAISWAL S/O Madan Sah @ Madan Jaiswal R/O Village
Khanaw, P.S. - Chainpur, District Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 04-11-2020 The matter has been taken up through virtual Court proceeding.

Let the defects be removed within two weeks of the start of the physical Court.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 279, 337, 338 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Petitioner was found along with another person by the police when the petitioner and co-accused on a motorcycle got accident and were beneath a truck. Since the petitioner was injured he was sent for treatment. He was not arrested by the police and the FIR was lodged on allegation that liquor was recovered from a



bag from the place where the petitioner was lying injured.

Considering the nature of material and the fact that the petitioner was not arrested by the police when the police had occasion to arrest the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Durgawati Police Station Case No. 320 of 2019, Reg. No. 854 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:-

(a) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(c) The petitioner shall not leave the country without permission of the trial court.

(Birendra Kumar, J)

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