

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76556 of 2019

Arising Out of PS. Case No.-474 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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Kuldeep Sharma @ Kuldeep Kumar S/o Ram Kumar Sharma R/o village-
Balhi, P.S.- Kalyanpur, District- Motihari, East Champaran

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mrs .Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 06-03-2020 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Excise Case No. 474 of 2019 registered under Sections 30(a) of the Bihar Prohibition & Excise Act, 2018.

Learned counsel for the petitioner submits that no incriminating article has been recovered from the conscious possession of the petitioner, he has falsely been implicated in this case and further submits that petitioner has got no criminal antecedent.

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 case of the petitioner that no incriminating article has been recovered from his house and even the prosecution report does not disclose as to who named this petitioner and further that the petitioner has no criminal antecedent, learned A.P.P. for the State is not denying the fact that the recovery has been made from a place outside the house of the petitioner, let in the event of his arrest/surrender before the court below within a period of four weeks, the above-named petitioner 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 Ixth Additional Sessions Judge – cum – Special Judge, Excise, East Champaran, Motihari, in connection with Excise Case No. 474 of 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)

Rajeev/-

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