

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85750 of 2019

Arising Out of PS. Case No.-202 Year-2019 Thana- ALOULI District- Khagaria

Sanjay Singh @ Makhru, aged about 26 years (Male), Son of Late Kamleshwari Singh Resident of Village - Nista (Haripur), P.S.- Allouli, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar
For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 17-02-2020 Heard learned counsel for the petitioner and
learned counsel for the State.

In this case, the petitioner is apprehending his arrest in connection with Allouli P.S. Case No. 202 of 2019 (G.R. No. 1808 of 2019) registered for offences under sections 30, 30(a), 30(b), 30(c) of the Bihar Prohibition and Excise Act, 2018.

As per allegation, the police, on receipt of secret information, raided the place and recovered 15 liters of illegal country made liquor including apparatus being used for preparation of the liquor. Further allegation has been made that taking benefit of forest, the petitioner fled away from the place of occurrence.



Looking to the quantity of liquor recovered as also the petitioner having no criminal antecedent, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge, IInd, Khagaria in connection with Allouli P.S. Case No. 202 of 2019 (G.R. No. 1808 of 2019), subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, he will remain present and if he would not present himself, the privilege of grant of anticipatory bail shall be deemed to have been canceled. It is also made clear that if the petitioner is repeats the similar offence in future, the prosecution will be at liberty to file an application for cancellation of the bail.

However, at the time of accepting bail bonds, the court below will verify and ensure itself regarding criminal antecedent of the petitioner and if it is found that the petitioner has clean antecedent, his bail bond will be accepted but, if it is found that the petitioner is involved in any other case before



filing of the present case, then he would not be released.

(Shivaji Pandey, J)

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