

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15635 of 2021**

Arising Out of PS. Case No.-445 Year-2020 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

SHIVAM KUMAR @ CHHOTU Son of Rupesh Thakur Resident of Village -
Patahi Hari, P.S. - Sadar, District - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Mr. A.P.P.

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

2 24-11-2021

Heard learned counsel for the parties.

Let the defect(s), if any, be removed within four weeks after complete start of the physical Court.

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

Recovery of liquor is alleged from a vehicle. The petitioner was not there nor the vehicle was of the petitioner. On information gathered from unknown person, the petitioner has been implicated in this case. Petitioner has an identical criminal antecedent in Muzaffarpur Sadar P.S. Case No. 444 of 2020. The FIR of that case also reveals that the petitioner was not there at the time of recovery and unknown person reported to the police that the petitioner was involved in the business of liquor.



Considering no direct material against the petitioner's involvement, 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 Muzaffarpur Sadar Police Station Case No. 445 of 2020, 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 learned court below shall be at liberty to cancel the bail bond of the petitioner.

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

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

(Birendra Kumar, J)

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