

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9965 of 2020

Arising Out of PS. Case No.-143 Year-2016 Thana- DINARA District- Rohtas

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Jalandhar Gaur S/o Budhai R/o Village Gajandharpatti, Bhedaura, P.S.
Atarauliya, District Azamgarh (Uttar Pradesh).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Tapeshwar Sharma

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 14-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in Dinara P.S.
Case No.143 of 2016, registered for the offences punishable
under Sections 272 and 273 of the Indian Penal Code as well as
under Sections 54 and 57 of the Bihar Excise Amendment Act.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. It is further submitted that there is no recovery
from the conscious possession of the petitioner rather 360 litres
of foreign liquor was recovered from a Bolero vehicle. It is
submitted that the petitioner is made accused in the present case
as he is owner of the said vehicle. It is submitted that the
petitioner has got no criminal antecedent as stated in para 3 of



the bail petition.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

Petitioner is agreed to deposit a sum of Rs.30,000/- (rupees thirty thousand) in Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFS Code PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

In the facts and circumstances of the case, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from the date of receipt of this order, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise, Rohtas at Sasaram in connection with Dinara P.S. Case No.143 of 2016, subject to the conditions:

(1) Laid down under Section 438(2) of the Cr.P.C.

(2) One of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.

(3) If the petitioner indulges in an offence of similar



nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(4) The bail bond of the petitioner shall be accepted by learned court below on showing receipt of deposit of Rs.30,000/- (rupees thirty thousand) in Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J.)

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