

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33086 of 2021

Arising Out of PS. Case No.-391 Year-2020 Thana- PUPRI District- Sitamarhi

GOVIND KUMAR S/O Ashok Prasad Resident of Ward No. 6, Nagar
panchayat Janakpur Road Pupri, P.S. - Pupri, District - Sitamarhi.
... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video
Conferencing and the Advocates joined the proceedings through
Video Conferencing from their residence.)

2 15-06-2021

Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 272/273/34
of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition & Excise Act, 2016.

Allegation is recovery of 140.73 litres foreign liquor
from the house of co-accused Dharmendra Kumar who
disclosed the name of co-accused including the petitioner who
manged to flee away after seeing the police party.

It has been submitted on behalf of the petitioner that
petitioner is innocent and has falsely been implicated in this
case at the instance of his enemies. Nothing was recovered from
the conscious possession of the petitioner or from his house.
Petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Pupri P.S. Case No.391 of 2020 subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

Sanjay/-

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