

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35529 of 2021

Arising Out of PS. Case No.-74 Year-2019 Thana- RISIYAP District- Aurangabad

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SHAMBHU CHAUDHARY Son of Late Teju Chaudhary Resident of Village
- Bilaspur, P.O.- Jamui, P.S.- Nagar Untari, Distt.- Garhwa (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Birendra Kumar Singh

For the Opposite Party/s : Mr.Shaheen Begum

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

2 10-12-2021

Heard learned counsel for the parties.

Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

This application for grant of anticipatory bail arises out of Risiyap P.S. Case No. 74 of 2019, registered for the offence under Section 30(A) of the Bihar Prohibition & Excise Act, 2016.

It is contended by the petitioner that he had sold the vehicle to one Deepak Kumar Singh and this Deepak Kumar Singh, who is responsible for the vehicle now.

Considering the aforesaid fact, the application for anticipatory bail is allowed till submission of charge-sheet.

Let the petitioner, named above, in the event of

his arrest or surrender before the Court below within four weeks, 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 ADJ-II-cum-Special Judge, Excise, Aurangabad (Bihar) in connection with Risiyap P.S. Case No. 74 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

After being released on anticipatory bail the petitioner will join the investigation and if the Investigating Officer finds that the vehicle has been sold to the co-accused then he will conduct the investigation accordingly. If at the time of submission of charge-sheet, it is found that Annexure-2, i.e., sale letter is false and has been created only for the purpose of seeking anticipatory bail, then the bail granted to the petitioner shall be rejected.

(Sandeep Kumar, J)

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