

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27535 of 2020

Arising Out of PS. Case No.-10 Year-2019 Thana- HAJIPUR SADAR District- Vaishali

Satish Kumar, S/o Budhu Bhagat, Resident of Village-Prataptand, Police
Station-Bhagwanpur, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh, Adv.

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 22-01-2021 Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned APP for the State.

The petitioner in the present case is seeking pre-arrest
bail in connection with Hajipur Sadar P.S. Case No.10 of 2019
registered for the offences punishable under Section 30(A) of
the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the
petitioner is innocent and no offence whatsoever as alleged in
the F.I.R. has been committed by him. Learned counsel submits
that nothing has been recovered from the conscious possession
of the petitioner and the vehicle in question from which the
alleged recovery was made was sold by the petitioner to one
Jyoti Kumar Sahni. It is submitted that the petitioner has
otherwise no criminal antecedent.



Learned APP for the State is present and has opposed the prayer for anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case, in the nature of the materials coming in the case diary and the verification report, there being some substance in the submission of learned counsel for the petitioner that the vehicle in question was sold by petitioner to one Jyoti Kumar Sahni, petitioner has otherwise no criminal antecedent, let the petitioner above-named in the event of his arrest or surrender within a period of four weeks from today in connection with Hajipur Town P.S. Case No.10 of 2019 be released on bail on furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-II-cum-Excise Court, Vaishali at Hajipur, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade



him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

