

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45103 of 2021**

Arising Out of PS. Case No.-339 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Aurangabad

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SHANKAR KUMAR Son of Naresh Ram Resident of Village and P.S.-
Uphara, District- Auranabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar Pandey, Adv
For the Opposite Party/s : Mr.Sunil Kumar Pandey,APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 20-12-2021

Heard learned counsel for the parties.

Let the defect(s), if any, be removed within two 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
Bihar Prohibition and Excise (Amendment) Act, 2018.

Submission is that recovery of liquor is alleged from
an open place which is accessible by anyone. Petitioner has got
no criminal antecedent. Petitioner was not there at the time of
recovery.

Considering lack of direct material against the
petitioner, 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 bonds 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 Excise Case No. 339 of 2021, 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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