

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45138 of 2021

Arising Out of PS. Case No.-55 Year-2021 Thana- PANDAUL District- Madhubani

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Ashok Kamat Son of Asarfi Kamat Resident of Village- Sarisab Pahi, P.S.-
Pandaul, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate
For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 20-12-2021 Let the defects, if any, be removed within four weeks
after complete start of the physical Court.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections
272/273/34 of the Indian Penal Code and Section 30(a) of the
Bihar Prohibition and Excise Act.

From perusal of the FIR of Pandaul P.S. Case No.56
of 2021; it appears that liquor was recovered from the rooms of
Sanskrit Prathmik Vidhyalya and the people there reported that
the petitioner and others had brought that liquor. There is no



specific evidence as to who had disclosed the aforesaid fact to the police.

From perusal of the FIR of Pandaul P.S. Case No.55 of 2021 it appears that the people who were apprehended along with liquor on vehicle stated to the police that the petitioner was driver of the vehicle.

Submission is that none of the evidences is admissible in law and there is no other material against the petitioner.

Considering the facts aforesaid, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond 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 Pandaul P.S. Case No. 55 of 2021, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below



shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

Mkr./-

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