

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54678 of 2021

Arising Out of PS. Case No.-181 Year-2021 Thana- NAUBATPUR District- Patna

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AMRISH KUMAR Son of Sri Krishna Pal @ Krishna Prasad Resident of
Village- Bedauli, Ward No. -11, P.S.- Naubatpur, District- Patna. Pin Code-
801109 (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Subhen Sarkar

For the Opposite Party/s : Mr.Manoj Kumar

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 23-02-2022 Heard both the parties.

The petitioner seeks bail in anticipation of his arrest in connection with Special Case No.2492 of 2021, arising out of Naubatpur P.S. Case No.181 of 2021 instituted for the offences under Sections 30(A) of Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner is employed and working at Delhi while the liquor has been recovered from the joint house which also belongs to the petitioner. He submits that no case under section 30(A) of the Bihar Prohibition and Excise Act is made out against the petitioner.

Taking into consideration that the petitioner is living at Delhi, exfacie no case under section 30(A) of the



Excise Act is made out against the petitioner, without commenting on the merit of the case, I am inclined to grant anticipatory bail to the petitioner and in the event of arrest, he shall be released on bail subject to conditions as laid down under section 438 (2) of the Cr.P.C., which are as under:-

1. The applicant, namely, Amrish Kumar shall furnish personal bond with his recent self-attested photograph and surety of the like amount on the following conditions at the satisfaction of the investigating officer.
2. The applicant shall cooperate with the investigation and make himself available for interrogation whenever required.
3. The applicant shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer,
4. The applicant shall not obstruct or hamper the police investigation and not to play mischief with the evidence collected or yet to be collected by the police;
5. The applicant shall not leave the territory of Patna without prior permission of the court, till trial is over;
6. The applicant shall maintain law and order;
7. The applicant shall, at the time of execution of the



bond, furnish his address and mobile number to the investigating officer, and the court concerned, and shall not change the residence till the final disposal of the case;

8. The applicant shall surrender his passport, if any, before the investigating officer within a week and, if he does not possess any passport, he shall file an affidavit to that effect before the investigating officer;

9. The applicant shall regularly remain present during the trial and cooperate with the Hon'ble court to complete the trial for the above offences.

(Sanjeev Prakash Sharma, J)

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