

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55223 of 2021

Arising Out of PS. Case No.-128 Year-2021 Thana- BARUN District- Aurangabad

1. AMANSHU KUMAR @ HIMANSHU KUMAR Son of Suryadeo Singh Resident of Village - Dhanuati Pool, P.S.- Barun, Distt.- Aurangabad.
2. Sri Niwas Singh Son of Suradeo Singh Resident of Village - Dhanuati Pool, P.S.- Barun, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, Adv.

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 23-02-2022 Heard the parties.

The petitioners apprehend their arrest in connection with Barun P.S. Case No. 128 of 2021 registered for the offence under Sections 30 (a) of the Bihar Prohibition and Excise Amendment Act, 2018.

Learned counsel for the petitioners submits that the name of petitioners have been crept in the investigation, on the basis of statement made by the accused Ram Niwas Singh, from whom illicit liquor was recovered. Thus, the offence under Section 30 (a) is not made out against the petitioners.

I have considered the submission, taking into aforesaid aspects that the petitioners were not present at the



spot, prima facie, no case under Section 30 (a) is made out against the petitioners, I am inclined to grant benefit of anticipatory bail to the above named petitioners and in the event of arrest they shall be released on bail, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. as well as the following conditions:-

1. The above named applicants, furnish personal bond of Rs. 20,000/- (Twenty thousand only) each with their recent self-attested photograph and surety of the like amount on the following conditions at the satisfaction of the investigating officer.

2. The applicants shall cooperate with the investigation and make themselves available for interrogation whenever required.

3. The applicants 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 them from disclosing such facts to the court or to any police officer,

4. The applicants 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 applicants shall not leave the territory of



Aurangabad (District name) without prior permission of the court, till trial is over;

6. The applicants shall maintain law and order;

7. The applicants shall, at the time of execution of the bond, furnish their 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 applicants shall surrender their passport, if any, before the investigating officer within a week and, if they does not possess any passport, they shall file an affidavit to that effect before the investigating officer;

9. The applicants 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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