

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55564 of 2021

Arising Out of PS. Case No.-259 Year-2021 Thana- BHORE District- Gopalganj

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1. NANDJI SAH Son of Ranglal Sah @ Ramkeyas Sah R/O Village - Semrauna, Lami Chaur, P.S. - Bhorey, District - Gopalganj.
 2. Shailendra Chauhan Son of Ranglal Chauhan R/O Village - Lami Chaur, P.S. - Bhorey, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhramveer

For the Opposite Party/s : Mr.Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 24-02-2022 Heard both the parties.

The petitioners seek bail in anticipation of their arrest in connection with Bhorey P.S. Case No.259 of 2021 instituted for the offences under Section 30(a) of Bihar Prohibition and Excise Act, 2018.

Learned counsel for the petitioner submits that the name of the petitioner has been mentioned by the villagers alleging that he ran away from the place of incident. The petitioners are neither the owner of the vehicle nor the driver of the same. The liquor collected from the Santro car cannot be related to him.

Taking into consideration the over all aspect, I am



satisfied that exfacie no case under 30(a) of the Excise Act is made out, I am inclined to grant anticipatory bail to the petitioners and in the event of arrest, they 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 applicants, namely, Nandji Sah & Shailendra Chauhan shall furnish personal bond 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 Gopalganj 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 do 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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