

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55907 of 2021

Arising Out of PS. Case No.-86 Year-2021 Thana- MINAPUR District- Muzaffarpur

RAJU RAI S/O- Ram Shrestha Rai R/O- Village - Dubaha, P.S. - Minapur,
District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Adv.

For the Opposite Party/s : Mr.Kanhaiya Kishore, Adv.

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

ORAL ORDER

2 25-02-2022 Heard the parties.

The petitioner apprehends his arrest in connection with Minapur P.S. Case No. 86 of 2021 registered for the offence under Sections 272, 273, 420, 468, 471, 34 of the Indian Penal Code and 30 (a), 41 (1) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that petitioner is no manner connected with the liquor, which is recovered from the vehicle. The vehicle is owned by some other person. The petitioner is neither the alleged driver nor the khalashi of the vehicle.

In view thereof, merely on the basis, the name of the petitioner being mentioned by the person, who has been



arrested. Ex facie no case under Section 30 (a) is made out against the petitioner, I am inclined to grant benefit of anticipatory bail to the above named petitioner and in the event of arrest he 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 petitioner 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 petitioner shall cooperate with the investigation and make himself available for interrogation whenever required.

3. The petitioner 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 petitioner 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 petitioner shall not leave the territory of Muzaffarpur (District name) without prior permission of the court, till trial is over;



6. The petitioner shall maintain law and order;

7. The petitioner 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 petitioner 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 petitioner 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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