

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56359 of 2021

Arising Out of PS. Case No.-282 Year-2021 Thana- JAGDISHPUR District- Bhojpur

1. HARENDRA YADADV Son of Ram Dev Singh Resident of Village - Neurpokhar, P.S. - Jagdishpur, District - Bhojpur.
2. Kanchan Singh Son of Singhasan Singh Resident of Village - Neurpokhar, P.S. - Jagdishpur, District - Bhojpur.
3. Govind Ram Son of Chandrika Ram Resident of Village - Neurpokhar, P.S. - Jagdishpur, District - Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar
For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 25-02-2022 Heard both the parties through video conferencing.

The petitioners seek bail in anticipation of their arrest in connection with Jagdishpur P.S. Case No.282 of 2021 instituted for the offences under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioner submits that the petitioners are being sought to be arrested in the case where liquor was recovered from the river bank and on the basis of the name being mentioned by the chowkidar, they are being sought to be arrested while they have no connection with the said case.

Having considered the over all aspect, exfacie under



section 30(a) of the Excise Act is not 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 the conditions as laid down under section 438(2) Cr.P.C., which are as under:-

1. The above named petitioners 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 petitioners shall cooperate with the investigation and make themselves available for interrogation whenever required.

3. The petitioners 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 petitioners 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 petitioners shall not leave the territory of Bhojpur without prior permission of the court, till trial is over;

6. The petitioners shall maintain law and order;

7. The petitioners 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 petitioners 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 petitioners 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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