

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56172 of 2021**

Arising Out of PS. Case No.-173 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Saran

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SUKESH KUMAR YADAV S/o SHREE RAM PRASAD YADAV R/o
VILAGE-CHETAN CHAPRA, P.S-BANIAPUR, DISTRICT-SARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Harsh Anuj, Adv.
For the Opposite Party/s : Mr.Nand Kumar, Adv.

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

ORAL ORDER

2 25-02-2022 Heard the parties.

The petitioner apprehends his arrest in connection with Excise (Saran) P.S. Case No. 173 of 2021 registered for the offence under Section 30 (a) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that 40 litres of Indian liquor has been recovered behind the residence of the petitioner, which is open area and the same cannot be attributed to the petitioner.

Having considered the aforesaid aspects, this Court find ex facie no case under Section 30 (a) is made out against the petitioner.

In view thereof, 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 Saran (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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