

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34077 of 2023

Arising Out of PS. Case No.-419 Year-2022 Thana- BELHAR District- Banka

=====

SAMAR HANSDA @SOMAR HANSDA SON OF JI HANSDA Resident of
Village- Chatrahan, P.S. Belhar, District- Banka

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad, Advocate

For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 26-07-2023

Heard the parties

The petitioner apprehends his arrest in connection with Belhar P.S. Case No. 419 of 2022 for the offence punishable under Sections 30 (a) of Bihar Prohibition and Excise Act lodged on 04.04.2022 by the informant Ramshankar Singh.

As per the prosecution story, upon search of the house of the petitioner, 10 liters of country made liquor were recovered/ seized.

It is the case of the learned counsel for the petitioner that it is a joint house and the allegation cannot be attributed to him and further he do not have criminal antecedent.

Learned APP opposes the prayer.

Taking into account the aforesaid submissions put



forward by the learned counsel for the petitioner and further do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

Let the petitioner, in the event of his arrest or surrender within a period of four weeks from the date of the receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional District and Sessions Judge-II, Banka, in connection with Belhar P.S. Case No. 419 of 2022 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

Jagdish/Jyoti/-

U		T	
---	--	---	--

