

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40686 of 2023

Arising Out of PS. Case No.-37 Year-2023 Thana- KHAGARIA District- Khagaria

SIKANDAR MANDAL @ SIKENDRA MANDAL Son of Dharmdeo Prasad
Singh Resident of village - Shekhpura, P.s. - Khagaria (Muffasil), Distt. -
Khagaria in Bihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None.

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-07-2023 No one appears on call on behalf of the petitioner
although the State is present.

The petitioner apprehend his arrest in connection
with Khagaria (Muffasil) P.S. Case No. 37 of 2023 for the
offence punishable under Sections 30 (a) Bihar Prohibition and
Excise Act, 2018 lodged on 15.01.2023 by the informant
Amlesh Kumar Singh.

As per the prosecution story, the police upon secret
information reached near Water Tanki in Shekhpura village
when two persons tried to escape, one of whom was arrested.
He was Dharmdeo Singh and further gave the name of the
person escaped as this petitioner. Further, from the said house,
four liters country made liquor was recovered. Accordingly, the



FIR.

As per the petition, his name has come in the confessional statement and he do not have criminal antecedent.

Learned APP opposes the prayer.

Considering the fact that the petitioner's name has come on the confessional statement of co-accused Dharmdeo Singh, 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 Special Judge Excise 1st khagaria in connection with Khagaria (Muffasil) P.S. Case No. 37 of 2023, 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 appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) 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;

(v) 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/-

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