

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65628 of 2023

Arising Out of PS. Case No.-143 Year-2023 Thana- GANGTA District- Munger

SUDHIR KORA SON OF LATE KARTIK KORA RESIDENT OF
VILLAGE - SIJUA, P.S. - LAXMIPUR, DISTRICT - JAMUI

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 08-12-2023 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Gangta P.S. Case No. 143 of 2023 for the offence registered under sections 30(a), 32 and 30(c) of the Bihar Prohibition & Excise and section 2(e)/3/5(b)/18 of Bihar Excise (Mahua) Flower Rules, 2006 lodged on 27.07.2023 by the informant Bijay Kumar Mishra.

3. As per the prosecution story, the informant alleges that on secret information about illegal manufacturing of liquor by Chunkeshwar Hembram, the police went to the place and arrested him, he gave the name of the escaped person as Sudhir Kora (the petitioner herein), 35 litres '*mahua*' and 1500 kg fermented '*mahua*' were recovered/seized. Accordingly, the



FIR.

4. Learned Counsel for the petitioner submits that admittedly, the information was about Chunkeshwar Hembram who was arrested and the recovery/seizure made and on his confession, the petitioner has been dragged in.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

6. Considering the aforesaid submissions put forward by the learned Counsel for the petitioner as also that he do not have criminal antecedent and nothing to do with the recovery/seizure, this Court is inclined to extend him privilege of anticipatory bail.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court of Exclusive Special, Excise Court-I Munger in connection with Gangta P.S. Case No. 143 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 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 the bail bonds;

8. With the aforesaid observations, the anticipatory bail application stands allowed.

(Rajiv Roy, J)

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