

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72811 of 2022

Arising Out of PS. Case No.-174 Year-2022 Thana- RAGHUNATHPUR District- Siwan

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BABLOO @ BABLOO KHAN Son of Mustafa Khan R/V- Harpur, P.S-
Raghunathpur, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ayush Kumar,Advocate

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh,APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 03-02-2023 Heard learned counsel for the petitioner and learned

APP for the State through video conferencing in view of the

COVID 19.

The petitioner apprehends his arrest in connection
with Raghunathpur P.S. Case No. 174 of 2022 for the offence
registered under Section 30(A) of Bihar Prohibition and Excise
Act.

As per the prosecution story, the police intercepted the
motorcycle. While some managed to flee, they left the bag and
upon search, 150 litres country-made '*mahua*' liquor was/were
recovered/seized near '*Mazar*'. The person apprehended,
Jitendra Bind named this petitioner as one of his accompish and
accordingly in the FIR, his name came up.

In view of the fact that the petitioner name has come



in the confessional statement and nothing has been recovered from his possession, ultimately he will have to face the trial, this Court is inclined to extend him the privilege of anticipatory bail with strict conditions.

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 A.D.J- II-Cum-Special Judge (Excise), Siwan in connection with Raghunathpur P.S. Case No. 174 of 2022 subject to condition as laid down under Section 438(2) of the Cr.P.C with strict conditions:

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

(vi) the petitioner (s) shall co-operate in the investigation and made himself available to the police as and when required.

(Rajiv Roy, J)

Jagdish/Neha/-

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