

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48329 of 2024

Arising Out of PS. Case No.-133 Year-2024 Thana- JAGDISHPUR District- Bhojpur

Chandra Prakash Kumar @ Chandra Prakash Maurya Son Of Nand Kishore
Mahto Village- Harigaon, Ps- Jagishpur, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Rupa Kumari, Advocate Mrs. Priyanka Kumari, Advocate
For the State	:	Mr. Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 07-08-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Jagdishpur P.S. Case No. 133 of 2024 for the offence under section 30(a) of the Bihar Prohibition and Excise Act lodged on 01.05.2024 by the informant, Sudhanshu Kumar.

3. As per the prosecution story, the police tried to intercept a motorcycle but they managed to escape after throwing the bag and there is recovery of 42 liters of country made liquor and one of them was apprehended by the police and he gave his name as also those who escaped, petitioner being one of them, accordingly the F.I.R.

4. Learned counsel for the petitioner submits that nothing has been recoered from his conscious possession and



only on the basis of confessional statement of Ajmat Ansari, the last submission is that petitioner do not have criminal antecedent.

5. Learned APP opposes the prayer submitting that he has been named by the apprehended person.

6. Taking into account the fact of the case as also that name of the petitioner has come in the confessional statement of Ajmat Ansari, nothing has been recovered from the conscious possession and the petitioner do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Exclusive Special Judge Excise Court No.1, Bhojpur at Ara, in connection with Jagdishpur P.S. Case No. 133 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative 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 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.

(Rajiv Roy, J)

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