

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79331 of 2023

Arising Out of PS. Case No.-404 Year-2023 Thana- HARNAUT District- Nalanda

=====

SANJEEV KUMAR SON OF BINDESHWAR SINGH RESIDENT OF
VILLAGE- BASTI, P.S. HARNAUT, DISTRICT- NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K., Advocate

For the Opposite Party/s : Mr.Ahmad Ali, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 19-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Harnaut P.S. Case No. 404 of 2023 registered under Sections 30 (a) of the Bihar Prohibition and Excise Amendment Act, 2022 lodged on 20.07.2023 by the informant, Dinesh Paswan.

3. As per the prosecution story, the informant alleged that during patrolling on secret information about selling of liquor by the petitioner herein reached the place. Though this petitioner managed to escape, another accused, Randhir Kumar apprehended and 93 liters liquor recovered/seized.

4. Learned counsel for the petitioner submits that recovery is from accused, Randhir Kumar only because the



petitioner has criminal antecedent, he has been implicated.

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

6. Taking into account the fact that nothing has been recovered from his conscious possession and the alleged recovery is from accused, Randhir Kumar, this Court is inclined to grant 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 Additional Sessions Judge cum Special Judge, Excise -I Bihar Sharif (Nalanda) in connection with Harnaut P.S. Case No. 404 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/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 his 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.

(Rajiv Roy, J)

Jagdish/-

U			
---	--	--	--

