

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34799 of 2019

Arising Out of PS. Case No.-151 Year-2019 Thana- KOTWALI District- Munger

CHUNNU Son of Mohammad Badrul Hasan Resident of Village - Basanti
Talab Musahari, P.S.- Kotwali, (Purabsarai O.P.), District - Munger.

... .. Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr.Sanjeev Ranjan, Advocate

For the Opposite Party : Mr.Arun Kumar, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-05-2019 Heard learned counsel for the petitioner as well as

learned counsel for the State.

Petitioner apprehends arrest in a case registered for
the offences punishable under Sections 30(a)(b) of the Bihar
Prohibition and Excise Amendment Act, 2018.

Prosecution case in short is that 86.010 liters of
foreign liquor has been recovered from the side of a railway
track.

Contention of the petitioner is that his name was taken
in the confessional statement of co-accused Chotu Malik and,
Munna. who were arrested on the spot. It is further contended
that that the petitioner has no criminal antecedent and he is no
way concerned with the seized liquor. Provision of section 100
of the Cr.P.C. has not been followed in course of search and
seizure in question.



Considering the facts of the case, let the petitioner, above named, in the event of his arrest/surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge V, cum Special Judge, Excise, Munger in Kotwali Police Station Case No. 151 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully co-operate with the investigation and trial of the case, failing which the Court below shall be at liberty to cancel the bail bond of the petitioner.

(Prabhat Kumar Singh, J)

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