

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34266 of 2019**

Arising Out of PS. Case No.-69 Year-2018 Thana- GANDHIMAIDAN District- Patna

Pawan Kumar, aged about 48 years, Male, S/O- Rajendra Prasad R/o- Jaiswal House, 3rd Floor, Lal Bhai Gali, Exhibition Road, P.S- Kotwali, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ravindra Kumar, Adv.

For the Opposite Party/s : Mr.Veena Rani Prasad, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      27-05-2019                      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 Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

There is allegation of recovery of 1.500 liters of foreign liquor from the stair case of the informant.

Learned counsel for the petitioner submits that the petitioner is not concerned with the seized liquor and he has no criminal antecedent. Nothing has been recovered from conscious possession of the petitioner. The mandatory provision of Section 100 Cr.P.C. has not been followed in the instant case.

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 learned Special Judge Excise, Patna in Gandhi Maidan P.S. Case No. 69 of 2018, 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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