IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36343 of 2019

Arising Out of PS. Case No.-283 Year-2019 Thana- GOVERNMENT OFFICIAL COMP. District- East Champaran

==========

Chandan Kumar, Aged about 23 years, Gender Male, Son of Gaurishankar @ Gaurishankar Das Resident of Village-Purnahiya, P.S.-Ghorasahan, District-East Champaran.

... ... Petitioner

Versus

The State of Bihar

... ... Opposite Party

==========

Appearance :
For the Petitioner : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party : APP

==========

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 12-06-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody since 17.04.2019 in connection with Excise Case No. 283 of 2019 for the offences alleged under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. It is submitted that the petitioner has been falsely implicated in connection with recovery of 38.07 litres of Nepali liquor. It is submitted that the recovery has not been made from conscious possession of the petitioner and he has no connection with the motor-cycle from which recovery was made. The seizure list does not contain the signature of any independent witness nor complies with the requirements of Section 100 of the Cr.P.C which creates considerable doubt about the veracity of the prosecution story. The petitioner has already suffered almost two months in custody. The petitioner claims clean antecedents.

4. Be that as it may, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand)

WEB COPY

with two sureties of like amount each to the satisfaction of learned Special Judge, Excise, East Champaran at Motihari in connection with Excise Case No. 283 of 2019 on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

BT/-

U		T	

WEB COPY