

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47630 of 2019

Arising Out of PS. Case No.-178 Year-2019 Thana- HUSSAINGANJ District- Siwan

Ravi Prasad @ Rabi Prasad Son of Mohan Prasad Resident of Village -
Bichhiya Gorakhpur, P.S.- Shahpur, District- Gorakhpur (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramchandra Sahni, Advocate

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

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 02-08-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the offences punishable under Sections 272/273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

About 50 liters of foreign liquor was recovered from the possession of the petitioner. The petitioner has stated on oath that he has got no criminal antecedent.

Submission is that seizure list was not signed by the petitioner nor a copy of the seizure list was supplied to the petitioner. Hence, there is non-compliance of the provisions of Section 100 Cr.P.C.

Considering the nature of allegation and material



available on record, let the petitioner, above named, be released on bail **after completion of investigation** on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Hussainganj P.S. Case No.178 of 2019, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below having immovable property in his name.

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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