

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65100 of 2019

Arising Out of PS. Case No.-172 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

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SANJAY KUMAR, Son of Sri Om Prakash Prasad @ Om Prakash Malakar,
Resident of Village - Panditpur, P.S. - Rajgir, Distt. - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parmeshwar Mehta, Advocate

For the Opposite Party/s : Mr. Arun Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 04-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

From a bus foreign liquor was recovered. The
petitioner was conductor of the bus. Petitioner has stated on oath
that he has got no criminal antecedent. Petitioner is in custody
since 21.08.2019.

Submission is that there is violation of the mandate of
Section 100 Cr.P.C. while making search and seizure.

Considering the facts aforesaid especially the fact that
prosecution report has been submitted without proper
investigation of the case, let the petitioner, above named, be



released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with G.O. Case No. 172 of 2019, subject to the following conditions:-

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

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(Birendra Kumar, J)

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