

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74753 of 2019

Arising Out of PS. Case No.-665 Year-2019 Thana- DANAPUR District- Patna

Md. Monu aged about 19 years, Sex-Male, S/o Md. Akbar, R/o- Paithan Toli,
Nasri Ganj, P.S.- Danapur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pratyush Kumar, Advocate

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 27-11-2019 Heard learned counsel for the parties.

The petitioner seeks bail in Danapur P.S. Case No. 665 of 2019 (Special Case No. 7614 of 2019) registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

As per prosecution case, 43 liters of foreign liquor is said to have recovered from the possession of the petitioner.

It is submitted on behalf of petitioner that petitioner has falsely been implicated in this case and nothing has been recovered from conscious possession of the petitioner. It is further submitted that Section 100 Cr.P.C. has not been followed with respect to search and seizure. There is also no allegation against the petitioner of tampering with the evidence and petitioner is in custody since 25-08-2019, having no criminal



antecedent.

Considering the aforesaid facts and circumstances as well as nature of accusation, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Patna in connection with Danapur P.S. Case No. 665 of 2019, Special Case No. 7614 of 2019, on the following conditions:

(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J.)

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