

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81593 of 2019**

Arising Out of PS. Case No.-407 Year-2019 Thana- SAHEBGANJ District- Muzaffarpur

Chhotan Paswan Son of Rajendra Paswan Resident of Village- Somgarh, P.S.-
Sahebganj, District- Muzaffarpur ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.R K Goswaria, Advocate

For the Opposite Party : Mr.Abhay Kumar Roy, Addl Public Prosecutor

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

2 11-12-2019 Heard learned counsel for the parties.

Petitioner apprehends arrest in a case registered for the offence under sections 272, 273 of the Indian Penal Code and 30(a), 37b of the Bihar Prohibition and Excise Act.

4 liters country made liquor was recovered from the hut of the petitioner.

Learned counsel for the petitioner submits that the hut in question does not belong to the petitioner and he is no way concerned with the said recovery. Further, the mandatory provision under Section 100 Cr.P.C. has not been followed at the time of seizure. Besides, nothing has been recovered from his conscious possession. Petitioner has got no criminal antecedent.

In view of the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner, mentioned above, in the event of arrest or surrender within six weeks, 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 Special Judge, Excise, Muzaffarpur in Sahebganj Police Station Case No. 407 of 2019, on the following conditions:-



(1) Petitioner shall co-operate 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 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)

Shashi

U		T	
---	--	---	--

