

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81608 of 2019**

Arising Out of PS. Case No.-705 Year-2019 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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Pramod Sahani @ Pramod Kumar Sahani Son of Upendra Sahni Resident of
Village - Arara, P.S.- Kanti (Panapur O.P.), District- Muzaffarpur
... .. Petitioner

Versus

The State of Bihar ... Opposite Party

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Appearance :

For the Petitioner : Mr.Rajiv Ranjan, Advocate
For the Opposite Party : Mr.Ram Bachan Singh, Addl Public Prosecutor

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**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 punishable under section 30a/34 of the Bihar
Prohibition and Excise Act, 2016.

Four liters of liquor was recovered from the house of
the petitioner.

Learned counsel for the petitioner submits that the
said recovery is from the house of joint family to which he is no
way concerned. Petitioner has got no criminal antecedent. There
is no allegation of tampering with the evidence. Mandatory
provisions of section 100 Cr.P.C. has not been followed for
search and seizure.

In view of the facts and circumstances of the case,
prayer for bail of the petitioner is allowed. In the event of
arrest/surrender within a period of six weeks from today, let the
petitioner, mentioned above, 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 Kanti (Panapur OP) Police Station Case No. 705



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)

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