

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 82159 of 2019

Arising Out of PS. Case No.-554 Year-2019 Thana- BHABHUA District- Kaimur (Bhabua)

Gautam Bind aged about 23 years Male, Son of Khardeli Bind Resident of
Village - Lohdan, P.S.- Chand, District- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Adv.

For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

The petitioner apprehends his arrest in Bhabua P.S.
Case No. 554 of 2019 registered for the offence under Section
30(a) of Bihar Prohibition and Excise Act, 2016.

It is alleged that 13.35 liters of foreign liquor in a bag
was recovered near Suwara river and it is alleged that petitioner
had fled away after throwing the said bag after seeing the police
personnel.

It is submitted on behalf of petitioner that petitioner
has falsely been implicated in this case and nothing has been
recovered from his conscious possession, nor petitioner has got
any concern with the alleged recovery. It is further submitted
that Section 100 Cr.P.C. has not been followed with respect to
search and seizure. It is also submitted that the said place is a
public place, from which, the petitioner has got no concern.



Considering the aforesaid facts and circumstances as well as nature of accusation, in the event of arrest or surrender within a period of six weeks from today, 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 Addl. Sessions Judge - 4th cum Special Judge Excise, Kaimur at Bhabua in connection with Bhabua P.S. Case No. 554 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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