

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 81697 of 2019

Arising Out of PS. Case No.-136 Year-2019 Thana- HASPURA District- Aurangabad

Pintu Kumar aged about 35 years (Male) Son of Pramod Prasad Resident of
Village- Itwa, P.S.- Haspura, District- Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Bishweshwar Ram, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

The petitioner seeks bail in Haspura P.S. Case No. 136 of 2019, G.R. No. 1236/2019, registered for the offence under Section 30(c)(d) of Bihar Prohibition and Excise (Amendment) Act, 2018.

As per F.I.R., huge quantity of wine making utensils have been shown to be recovered from the house of petitioner.

It is submitted on behalf of petitioner that said house is in possession of petitioner's brother namely Munna Kumar and he (Munna Kumar) was indulged in preparation of illicit liquor, but petitioner has also been implicated in this case. It is further submitted that save and except the fact that petitioner is brother of Munna Kumar, there is nothing against the petitioner to connect him with the present case. He further submits that Section 100 Cr.P.C. has not been followed with respect to search



and seizure and petitioner is in custody since 19-11-2019.

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 Additional Sessions Judge VII cum Special Judge (Excise), Aurangabad in connection with Haspura P.S. Case No. 136 of 2019, corresponding to G.R. No. 1236/2019 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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