

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 82706 of 2019

Arising Out of PS. Case No.-911 Year-2019 Thana- NAWADA District- Nawada

Sonu Kumar (Male aged about 20 years) Son of Ratan Singh R/o Village-
Anandpura, P.S.- Nawada Town (Kadirganj), District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Veena Rani Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 12-12-2019 At the outset, learned counsel for the petitioner submits that a typographical error has occurred in paragraph 10 of the petition and in place of “regular bail”, anticipatory bail has been typed and as such, he requests for making correction in paragraph 10.

The prayer is allowed. It may be done in course of the day.

The petitioner seeks bail in Nawada Town (Kadirganj) P.S. Case No. 911 of 2019 registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

It is a case of recovery of 104 liters of foreign liquor and 208 liters of country-made liquor from a vehicle and driver of the said vehicle was arrested on the spot and disclosed the name of petitioner to be owner of consignment.

It is submitted on behalf of petitioner that petitioner



has falsely been implicated in this case due to enmity and nothing has been recovered from his conscious possession. Save and except confession of driver, there is nothing against the petitioner to connect him with the said case. It is further submitted that mandatory provision of 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 28-10-2019.

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 Addl. District & Sessions Judge II cum Special Judge Nawada in connection with Nawad Town (Kadirganj) P.S. Case No. 911 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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