

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82694 of 2019

Arising Out of PS. Case No.-143 Year-2018 Thana- GHANSHYAMPUR District- Darbhanga

Saroj Chaupal Son of Kamal Chaupal Resident of Village - Godhaul, P.S.-
Ghanshyampur, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Arbinid Kuma Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in
Ghanshyampur P.S. Case No. 143 of 2018, registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

23.550 litres of foreign liquor is alleged to have been
recovered from straw house in between the house of Dukhi
Chaupal and Ganno Mahto.

It is submitted by learned counsel appearing on behalf
of petitioner that petitioner has falsely been implicated in this
case. Nothing has been recovered from possession of the
petitioner. Alleged recovery has been made from a public place
which is accessible to general public. Save and except suspicion
there is nothing against this petitioner. Petitioner has got clean
antecedent.



Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to 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 the learned **2nd Additional Sessions Judge-cum-Special Judge (Excise Act), Darbhanga** in connection with **Ghanshyampur P.S. Case No. 143 of 2018**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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