

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 81698 of 2019

Arising Out of PS. Case No.-21 Year-2019 Thana- PANJWARA District- Banka

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Suman Kumar Singh, aged about 25 years, Male, S/O Ashok Singh Resident of Village - Bhimchak, P.S.- Meharna , District - Godda (Jharkhand).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

The petitioner seeks bail in Panjwara P.S. Case No. 21 of 2019 registered for the offence under Sections 30(a, 32(2) of Bihar Prohibition and Excise Act, 2016.

It is a case of recovery of 148 liters of illicit liquor from a vehicle i.e. Piaggio, which was coming from Jharkhand side and petitioner is the owner of the said vehicle.

It is submitted on behalf of petitioner that petitioner, being owner of the said vehicle, has been implicated in this case, which was being driven by the driver. It is further submitted that the driver, without information or consent of the petitioner, was carrying aforesaid liquor and petitioner has no concern with the said liquor. It is also submitted that in this case, Section 100 Cr.P.C. has also not been followed with regard to search and seizure and petitioner is in custody since 25-11-2019,



having no criminal antecedent.

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 Session Judge-II, Banka in connection with Panjwara P.S. Case No. 21 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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