

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 82701 of 2019

Arising Out of PS. Case No.-264 Year-2019 Thana- BARSOI District- Katihar

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Mangan Ravidas @ Mangna Ravidas, aged about 26 years, Gender Male S/o-
Late Rajene Ravidas Resident of Village- Dolmara, Salmari, P.S.- Azamnagar
(Salmari O.P.), District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Kumar

For the Opposite Party/s : Mr.Bishweshwar Ram

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

The petitioner seeks bail in Barsoi P.S. Case No. 264
of 2019 registered for the offence under Section 30(a) of Bihar
Prohibition and Excise Act, 2016.

It is a case of recovery of 44.58 liters of illicit liquor
from a Hyundai car and petitioner is said to be driver and
apprehended on the spot.

It is submitted on behalf of petitioner that petitioner is
innocent and has falsely been implicated in this case and
nothing has been recovered from his conscious possession.
Petitioner, being driver, was unaware about the nature of
consignment. 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 26-10-2019, 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 Addl. District Judge II cum Special Judge Katihar in connection with Barsoi P.S. Case No. 264 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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