

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82646 of 2019

Arising Out of PS. Case No.-298 Year-2019 Thana- PAKARIBARAW District- Nawada

CHAMO SINGH @ CHAUMA YADAV Son of Prakash Singh Resident of
Village - Rajobigha, P.S.- Pakari Barawan, District - Nawada.

... .. Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner/s : Mr.Anish Kumar, Advocate

For the Opposite Party/s : Mr.U. Pandit, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

Petitioner is an accused in a case registered for the offence punishable under section 30a of the Bihar Prohibition and Excise Act, 2016.

200 liters Spirit was recovered from a car and two persons including the petitioner managed to escape.

Learned counsel for the petitioner submits that he has got no criminal antecedent, he is neither the owner of the car nor the driver of the said car. Mandatory provisions of section 100 Cr.P.C. has not been followed for search and seizure. Petitioner is in custody since 20.9.2019, though nothing incriminating has been recovered from his conscious possession.

In view of the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner, mentioned above, be released 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 Additional Sessions Judge II cum Special Judge, Nawada in Pakari Barawan Police Station Case No. 298 of 2019, on the following conditions:-



(1) 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 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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