

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82665 of 2019**

Arising Out of PS. Case No.-85 Year-2019 Thana- MALI District- Aurangabad

Om Prakash Pandey Son of Madeshwar Pandey Resident of Village - Simri
Dhamni, P.S.- Mali, District- Aurangabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh, Advocate
For the Opposite Party/s : Mrs.Pronoti Singh, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

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

The petitioner seeks bail in **Mali P.S. Case No. 85 of 2019**, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

66 litres of country made liquor is alleged to have been recovered from two bags which was being transported on a motorcycle and was being driven by the petitioner along with co-accused.

It is submitted by learned counsel appearing on behalf of petitioner that petitioner has falsely been implicated in this case. No incriminating articles have been recovered from possession of the petitioner. Section 100 Cr.P.C has not been followed. Petitioner is in custody since 20.10.2019 having clean antecedent.



Considering the facts aforesaid, the petitioner above-named, 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 **Additional Sessions Judge VII-cum-Special Judge (Excise), Aurangabad** in connection with **Mali P.S. Case No. 85 of 2019**, subject to the following 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)

vinita/-

U		T	
---	--	---	--

