

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82586 of 2019

Arising Out of PS. Case No.-376 Year-2019 Thana- TEKARI District- Gaya

SATENDRA KUMAR S/o Late Raghunandan Yadav R/o village- Ismile
Balwapar, P.S.- Tekari, District- Gaya ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Ashok Kumar, Advocate

For the Opposite Party/s : Mr.Ramesh Chandra, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

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

24 liters country made liquor was recovered kept in a
bag being carried by the petitioner on his motorcycle. Petitioner
was arrested at the spot.

Learned counsel for the petitioner submits that he has
got no criminal antecedent. Mandatory provisions of section 100
Cr.P.C. has not been followed for search and seizure. Petitioner
is in custody since 17.10.2019, 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 Special Judge, Excise, Gaya in
Tekari Police Station Case No. 376 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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