

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82594 of 2019

Arising Out of PS. Case No.-335 Year-2019 Thana- HARNAUT District- Nalanda

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LADDU YADAV S/o Devnandan Gop @ Devnandan Yadav Resident of
Village- Ambedkar Nagar, Near Samudayik Bhawan, P.S.- Harnaut, District-
Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satya Prakash

For the Opposite Party/s : Mr.Gauri Shankar Gupta

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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.

300 liters Foreign liquor was recovered from the roof
of a newly built house of the petitioner.

Learned counsel for the petitioner submits that the
said house was in joint possession of the family and he has
concerned with the said recovery. Mandatory provisions of
section 100 Cr.P.C. has not been followed for search and
seizure. Petitioner is in custody since 26.11.2019, 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 III cum Special Judge, Excise, Nalanda at Biharsharif in Harnaut Police Station Case No. 335 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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