

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 390 of 2020

Arising Out of PS. Case No.-898 Year-2019 Thana- ARARIA District- Araria

WARIS Son of Samad Resident of Village-Meer Shikar Tola Kakorwa Basti,
P.S. and District-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anupa Nand Jha
For the Opposite Party/s : Ms.Sharda Kumari

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 **18-01-2020** Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in Arariya Police Station (for
brevity, *PS*) Case No 898 of 2019 instituted for the offence
punishable under Section (s) 30 (a), 38 of Bihar Excise and
Prohibition Act, 2016.

Some cough syrup containing codeine, total 20 liters have
allegedly been seized from the petitioner's house. Petitioner is
in custody since 26.11.2019. Submission is of false implication
and that prior to the instant case, there is no criminal antecedent
of the petitioner. Even, as per allegations contained in the first
information report, petitioner was not present at the time of
alleged seizure and his name has been taken by others.



Learned APP for the State opposed the prayer for bail.

Considering the aforesaid, let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge II -cum- Special Court of Excise, Araria in connection with Araria PS Case No 898 of 2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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