

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2753 of 2020

Arising Out of PS. Case No.-470 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Nalanda

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Ramjee @ Rama S/o Ravindra Mahto Resident of Village- Haweli (Muraura),
P.S.- Bihar, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioner and

learned A.P.P for the State.

The petitioner apprehends his arrest in **Excise Case No. 470 C3 of 2019**, registered for the offence punishable under Sections 30(a), 30(c) and 56(B) of the Excise Act, 2018.

12 litres of liquor and 210 litres of spirit are said to have been recovered from Bolero vehicle which was parked in the middle of village.

It is submitted that petitioner has falsely been implicated in this case. Nothing has been recovered from conscious possession of this petitioner. The vehicle does not belong to the petitioner. The provision of section 100 Cr.P.C has not been followed. Petitioner has got clean antecedent.

Considering the facts aforesaid, the petitioner above-



named in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, 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 **IIIrd Additional District and Sessions Judge-cum-Special Judge (Excise), Nalanda at Biharsharif** in connection with **Excise Case No. 470 C3 of 2019**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further 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)

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