

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.792 of 2020

Arising Out of PS. Case No.-409 Year-2019 Thana- GAIGHAT District- Muzaffarpur

Guddu Kumar Sah Son of Raj Kumar Sah Resident of Village - Jarang Ward
No. 1, P.S.- Gaighat, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar Goswami, Advocate
For the Opposite Party/s : Mr.Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-02-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in **Gaighat P.S.**
Case No. 409 of 2019, registered for the offence punishable
under Sections 272, 273 of the Indian Penal Code and section
30(a) of the Bihar Prohibition and Excise Act, 2016.

6.180 litres of foreign liquor is said to have been
recovered from one Gumti situated behind Durga Mandir.

It is submitted on behalf of petitioner that petitioner
has falsely been implicated in this case. Nothing has been
recovered from possession of this petitioner. Petitioner has no
concern with the seized liquor. 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 **Special Judge, Muzaffarpur** in connection with **Gaighat P.S. Case No. 409 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, her 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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