

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.852 of 2020

Arising Out of PS. Case No.-360 Year-2019 Thana- RAJAON District- Banka

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LAKHAN DAS Son of Chotan Das Resident of Village - Chasafia, P.S.-
Rajoun, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad, Advocate

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 16-01-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

16 liters of liquor was allegedly recovered from the
possession of the petitioner. The petitioner has stated on oath
that he has got no criminal antecedent. He is in custody since
04.11.2019. Investigation of the case is already complete.

Submission is that there is non-compliance of
mandate of Section 100 Cr.P.C. in the matter of search and
seizure.

Finding substance in the submission aforesaid as well
as considering the fact that there is nothing to substantiate that



the petitioner is going to tamper with the evidence or abscond the process of law, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Rajoun P.S. Case No.360 of 2019, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the Court.

(Birendra Kumar, J)

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