

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2014 of 2020

Arising Out of PS. Case No.-276 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Bhagalpur

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GUDDU KUMAR, Son of Late Ram Bilash Ram, resident of Mohalla
Shivpuri Colony Ishachak, P.S. Ishachak, District Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 21-01-2020 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

From the bag of the petitioner 25.5 litres of liquor
was recovered. Petitioner has stated on oath that he has got no
criminal antecedent.

Submission is that there is non-compliance of
mandate of Section 100 Cr.P.C. in the matter of search and
seizure. Moreover, the prosecution report has been submitted
without proper investigation of the case.

Considering the entire facts, let the petitioner,
above named, be released on bail, **after framing of the charges**



against the petitioner so that trial may not hamper, on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Excise Case No. 276 of 2019, subject to the following conditions:-

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

(2) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

The trial court is directed to expedite the framing of the charge against the petitioner.

(Birendra Kumar, J)

Niraj Kumar

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