

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3494 of 2020**

Arising Out of PS. Case No.-236 Year-2019 Thana- PANAPUR District- Saran

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Bhutkun Singh @ Sanjay Singh Son of Prabhansh Singh Resident of Village -
Horha Jagatpur, P.S. - Panapur, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai, Advocate

For the Opposite Party/s : Mr.Satyadeo Singh Yadav, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 29-02-2020 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner apprehends his arrest in **Panapur P.S.**
Case No. 236 of 2019, registered for the offence punishable
under Sections 30, 30(a), 38 and 41 of the Bihar Prohibition and
Excise Act, 2018.

40 litres of country made liquor is said to have been
recovered from a Poultry Farm.

It is submitted that petitioner has falsely been
implicated in this case. Nothing has been recovered from
conscious possession of this petitioner. Petitioner is not the
owner of said Poultry Farm. 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 **2nd Additional District and Sessions Judge-cum-Special Judge, Excise, Saran** in connection with **Panapur P.S. Case No. 236 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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