

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1901 of 2020

Arising Out of PS. Case No.-293 Year-2019 Thana- AURAI District- Muzaffarpur

Chunnu Sahani Son of Achche Lal Sahani Resident of Village - Bedaul Asli
Bagmocha Tola, P.S.- Aurai, Distt - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur, Advocate

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-02-2020 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner apprehends his arrest in **Aurai P.S.**
Case No. 293 of 2019, registered for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

1.875 litres of foreign liquor is said to have been
recovered from a tea shop.

It is submitted that petitioner has falsely been
implicated in this case. The tea shop from where the liquor is
said to have been recovered, does not belong to this petitioner.
Nothing has been recovered from conscious possession of this
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 **Special Judge, Excise Act, Muzaffarpur** in connection with **Aurai P.S. Case No. 293 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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