

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2028 of 2020

Arising Out of PS. Case No.-470 Year-2019 Thana- ARA NAGAR District- Bhojpur

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Satyendra Raj @ Satyendra Kahar Son of Late Ram Raj Kahar Resident of
Village - Gausganj, P.S.- Ara (Town), Distt - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

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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 **Ara (Town)**
P.S. Case No. 470 of 2019, registered for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

12 litres of country made liquor is said to have been
recovered from a motorcycle.

It is submitted that petitioner has falsely been
implicated in this case. Name of this petitioner has come in this
case on the basis of confessional statement of co-accused
Tapeshwar Chaudhary. Petitioner has no concern with the seized
liquor or the seized motorcycle. 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 **Additional District and Sessions Judge 4th-cum-Special Judge, Excise Act, Ara Bhojpur** in connection with **Ara (T) P.S. Case No. 470 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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