

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3699 of 2020

Arising Out of PS. Case No.-342 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

=====

Shambhu Kumar Son of Lala Mahto @ Bhagat Resident of Village -
Gangapur, P.S. - Musrigharari, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh
For the Opposite Party/s : Mr.Anil Prasad Singh

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 10-06-2020 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Excise Case No. 342 of 2019 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

As per prosecution case, 9 liters of Indian make foreign liquor is said to have been recovered near the cattle shed of the petitioner.

It is submitted on behalf of petitioner that petitioner has falsely been implicated and nothing has been recovered from his conscious possession, rather the alleged recovery has been effected from an open place. It is further submitted that Section 100 Cr.P.C. has not been followed with respect to search



and seizure. Petitioner has no criminal antecedent, as stated in paragraph – 3 of the petition.

Considering the aforesaid facts and circumstances, the bail application is allowed.

Let the above-named petitioner be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Addl. Sessions Judge cum Special Judge, Excise, Samastipur in connection with Excise Case No. 342 of 2019, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J.)

anay

U		T	
---	--	---	--

