

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4189 of 2020**

Arising Out of PS. Case No.-332 Year-2019 Thana- SAHEBPUR KAMAL District-
Begusarai

Amresh Kumar Son of Indra Deo Poddar Resident of Village- Bahadur Nagar,
P.S.- Muffasil, District- Munger (Munger).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Kishor Poddar, Advocate

For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

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

2 23-01-2020 Heard learned counsel for the petitioner and
Additional Public Prosecutor for the State.

The petitioner seeks bail in **Sahebpur Kamal P.S. Case No. 332 of 2019**, registered for the offence punishable under Sections Sections 120(B), 414 and 34 of the Indian Penal Code and sections 30(a), 32, 27, 41(i) of the Bihar Prohibition and Excise Act, 2016.

112.320 litres of foreign liquor is alleged to have been recovered from tempo of the petitioner.

It is submitted by learned counsel appearing on behalf of petitioner that petitioner has falsely been implicated in this case. Nothing has been recovered from conscious possession of this petitioner. Petitioner has no concern with the seized liquor. The provision of section 100 Cr.P.C has not been followed.



There is no allegation of tampering with the evidence against the petitioner. Petitioner claims no criminal antecedent and he is in custody since 08.11.2019.

Considering the facts aforesaid, the petitioner above-named, 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 Sessions Judge 2nd-cum-Special Judge Excise Act, Begusarai** in connection with **Sahebpur Kamal P.S. Case No. 332 of 2019**, subject to the 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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