

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4100 of 2020

Arising Out of PS. Case No.-77 Year-2019 Thana- PIPRA District- Patna

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Laldeo Kumar Son of Mudarik Chaudhary @ Mundrika Chaudhari, Resident
of Village- Gurpatichak, P.S.- Masaurhi, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Prem Ranjan Kumar
For the Opposite Party/s : Mr.Ajay Kumar No. 2

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-01-2020 Heard learned counsel for the parties.

The petitioner seeks bail in connection with Pipra P.S.
Case No.77 of 2019 registered for the offence under Section
30(a) of the Bihar Prohibition and Excise Act,2016.

It is case of recovery of 40 liters of Mahua wine from
a motorcycle, on which two persons including the petitioner
were moving.

It is submitted on behalf of the petitioner that the
petitioner has falsely been implicated in this case since nothing
has been recovered from his conscious possession. It is
submitted that the petitioner has no concern nor the liquor
belongs to the petitioner. It is further submitted that mandatory
provision of Section 100 Cr.P.C. has not been followed with
respect to search and seizure. In this case, chargesheet has



already been submitted and, as such, there is no chance of tampering with the evidence and petitioner is in custody since 16.07.2019 having no criminal antecedent.

Considering the aforesaid facts and circumstances as well as nature of accusation, let the petitioner, named above, be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Pipra P.S. Case No.77 of 2019 on the following conditions:-

(1) 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J.)

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