

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4004 of 2020

Arising Out of PS. Case No.-692 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

Chandrashekhar Raut Son of Late Naval Kishor Raut Resident of Village -
Shishawa Kataiya, Ward No. 04, P.S.- Jaleshwar, Distt - Mohtari (Nepal)
... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Birendra Kumar, Advocate
For the Opposite Party : Ms/Mrs Rita Verma, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

Petitioner is an accused in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The petitioner is said to have been arrested by the Patrolling party with 255 liters Nepali Saufi wine when he was trying to enter into India from Nepal.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case. Further, recovery has not been made from the conscious possession of the petitioner. He has got no criminal antecedent and is in custody since 14.11.2019 and even mandatory provisions of section 100 Cr.P.C. has not been followed for search and seizure.

In view of the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner, mentioned 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 the Additional Sessions Judge II cum



Special Judge, Excise Act, Sitamarhi in C-2 Case No. 692 of 2019/PS. Case No.-692 Year-2019 Thana- Government Official Comp. District- Sitamarhi, 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 on 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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