

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13540 of 2020

Arising Out of PS. Case No.-362 Year-2019 Thana- PIPRAKOTHI District- East Champaran

Mansha Ray @ Umesh Prasad Yadav Son of Late Jangi Rai @ Iangi Rai
Resident of Village-Sirsiya, P.O-Bathana, P.S-Piprakothi, District-East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hemant Kumar Sharan

For the Opposite Party/s : Ms.Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-03-2020 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner apprehends his arrest in **Piprakothi P.S. Case No. 362 of 2019**, registered for the offence punishable under Section 414 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

15 litres of spirit and 200 litres of liquor are said to have been recovered from a Tempo.

It is submitted that petitioner has falsely been implicated in this case. Nothing has been recovered from conscious possession of this petitioner. The Tempo does not belong to 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 9th-cum-Special Judge, Excise Act, Motihari, East Champaran** in connection with **Piprakothi P.S. Case No. 362 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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