

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13751 of 2020

Arising Out of PS. Case No.-243 Year-2019 Thana- UDWANTNAGAR District- Bhojpur

Umesh Singh Son of Ram Kumar Singh Resident of Village-Bhagwatipur,
P.S.-Udwantnagar, District-Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarendra Kumar
For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-03-2020 Heard learned counsel for the parties.

The petitioner apprehends his arrest in Udwantnagar P.S. Case No. 243 of 2019 registered for the offence under Section 30(A), 30(D) of Bihar Prohibition and Excise (Amendment) Act, 2018.

50 liters of Mahua liquor is said to have recovered from the possession of co-accused Kamakhya Yadav and Shiv Mangal Singh.

It is submitted on behalf of petitioner that petitioner has falsely been implicated in this case and nothing has been recovered from his conscious possession. Name of petitioner has surfaced in this case due to village politics. Petitioner has not concern with the seized liquor. It is further submitted that mandatory provision of Section 100 Cr.P.C. has not been



followed with respect to search and seizure. There is no allegation against the petitioner of tampering with the evidence. Petitioner is having no criminal antecedent.

Considering the aforesaid facts and circumstances as well as nature of accusation, in the event of his arrest/surrender within a period of six weeks from today, let the above named petitioner 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 learned 4th Additional Sessions Judge cum Special Judge Excise, Bhojpur, Ara in connection with Udwantnagar P.S. Case No. 243 of 2019, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J.)

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