

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19976 of 2020

Arising Out of PS. Case No.-8 Year-2020 Thana- ADAPUR District- East Champaran

MANOJ PASWAN Son of Vikaram Hajara @ Vikram Paswan Resident of
Village - Dhabdhabwa, P.S.- Adapur, Dist. - East Champaran (Motihari)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-06-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and

Additional Public Prosecutor for the State.

The petitioner seeks bail in **Adapur P.S. Case No. 08
of 2020**, registered for the offence punishable under Sections
272, 273 of the Indian Penal Code and section 30(a) of the Bihar
Prohibition and Excise Act.

330.9 litres of Nepali liquor is alleged to have been
recovered from a motorcycle and this petitioner is alleged to be
one of the persons who fled away from the place of occurrence,
after seeing the police party.

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 is not apprehended on the spot. Petitioner has no concern with the seized liquor. The provision of section 100 Cr.P.C has not been followed. Petitioner is in custody since 25.01.2020.

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 **Special Judge, Excise Act, East Champaran, Motihari** in connection with **Adapur P.S. Case No. 08 of 2020**, 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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