

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21619 of 2020**

Arising Out of PS. Case No.-8 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Lakhisarai

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Buta Singh Son of Gurumej Singh Resident of Village - Dabra, P.S.- Dabra,
District - Gwaliour (M.P.)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mrs.Babita Kumari, Advocate

For the Opposite Party : Mr.Dilip Kumar No.1, Addl Public Prosecutor

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 06-07-2020 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the parties.

Petitioner is an accused in a case registered for the
offences punishable under Section 30a and other allied sections
of the Bihar Prohibition and Excise Act.

4294.08 liters of foreign liquor was recovered from a
vehicle which was being driven by the petitioner. He was
arrested on the spot.

Learned counsel appearing for the petitioner,



denying the allegations, submits that the petitioner has falsely been implicated in this case. The mandatory provision of law for search and seizure given under section 100 Cr.P.C. has not been followed. Nothing incriminating has been recovered from the petitioner's possession. Petitioner submits that he is merely driver of the truck and was not aware of the consignment being transported by the truck. Petitioner has got no criminal antecedent and he is in custody since 22.1.2020.

Considering the facts of the case, let the petitioner, above named, 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 Lakhisarai in PS. Case No.-8 Year-2020 Thana- Government Official Comp. District- Lakhisarai 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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