

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23220 of 2020

Arising Out of PS. Case No.-56 Year-2020 Thana- NADI P.S. District- Patna

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Ranjay Paswan Son of Munsii Paswan @ Munsii Bhagat Resident of Village-
Fatehpur Kurdgas, P.S.- Raghobpur, Distt- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 09-09-2020 Heard learned counsel for the petitioner as well as
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in Special Case No. 2309 of
2020 (arising out of Nadi P.S. Case No. 56 of 2020), registered
for the offence under Section 30(a) of Bihar Prohibition and
Excise (Amendment) Act, 2018.

As per prosecution case, altogether 150 liters of
country-made liquor are said to have been recovered from a
Tempo, bearing Reg. No. BR01PC-4074, and driver (petitioner)
of the tempo was arrested on the spot.

It is submitted on behalf of petitioner that petitioner is
innocent and he has falsely been implicated in this case mere on
suspicion. It is further submitted that nothing has been
recovered from the conscious possession of the petitioner. In



this case, Section 100 Cr.P.C. has not been followed with respect to search and seizure. The petitioner is in custody since 06-03-2020, having no criminal antecedent.

Considering the aforesaid facts and circumstances, the bail application is allowed.

Let the above-named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Special Case No. 2309 of 2020, corresponding to Nadi P.S. Case No. 56 of 2020, on the following conditions:

“(1) Petitioner shall cooperate 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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