

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24064 of 2020

Arising Out of PS. Case No.-677 Year-2019 Thana- KUDHNI District- Muzaffarpur

PAMPAM THAKUR Son of Nandlal Thakur Resident of Village - Balia
Pokhar, P.S.- Kudhani, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-09-2020 Heard learned counsel for the parties.

Petitioner is an accused in a case registered for offence punishable under Sections 272, 273/34 of the IPC as well as Section 30(A) of the Bihar Prohibition and Excise Act, 2016.

73 litres of country made foreign liquor has been recovered from a Maruti Suzuki car. Two persons Sakesh Kumar and Amlesh Kumar was arrested on the spot and during interrogation they disclosed the name of the petitioner.

It is submitted on behalf of the petitioner that the petitioner is innocent and has committed no offence. The said recovery has not been made from the conscious possession of the petitioner. Provisions of Section 100 Cr.P.C. has not been followed at the time of search and seizure. Petitioner has got



clean antecedent and he is in custody since 14.01.2020.

Considering the facts aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Muzaffarpur in Kudhani Police Station Case No. 677 of 2019, 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, their bail-bonds shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence of witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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