

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24063 of 2020

Arising Out of PS. Case No.-249 Year-2018 Thana- GOH District- Aurangabad

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AJAY SAW @ AJAY KUMAR GUPATA Son of Mathura Saw @ Kailash
Saw Resident of Village- Sagahi, P.S.- Guruwa (In F.I.R. P.S. of petitioner has
wrongly given as Sherghati), District- Gaya.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Yugal Kishore

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

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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 Section 30 (a) of Bihar Prohibition
and Excise Act.

144.750 litres country made liquor was recovered
from the house of the petitioner.

It is submitted on behalf of the petitioner that the
petitioner is innocent and has committed no offence. Nothing
has been recovered from the conscious possession of the
petitioner and petitioner has no concern with the said recovery.
Provisions of section 100 Cr.P.C. has not been followed at the
time of search and seizure. Petitioner has clean antecedent and
he is in custody since 19.05.2020.



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 Additional Sessions Judge, VII-cum Special Judge (Excise), Aurangabad in Goh Police Station Case No. 249 of 2018, 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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