

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24298 of 2020

Arising Out of PS. Case No.-29 Year-2020 Thana- HATHUA District- Gopalganj

ANUP KUMAR Son of Dhananjay Patel Resident of Village - Machhagar
Lachhiram, P.S.- Hathuwa, District - Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Dubey, Advocate
For the Opposite Party/s : Mr.B.N. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-09-2020 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 learned
A.P.P for the State.

The petitioner seeks bail in Hathuwa P.S. Case No. 29
of 2020, registered for the offence punishable punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

170 litres of country made liquor is said to have been
recovered from bush near Banshidhar School west side of the
house of Suresh Tiwari.

It is submitted that petitioner has falsely been
implicated in this case. Nothing has been recovered from
conscious possession of this petitioner. Recovery has been made



from the bush near the house of Suresh Tiwari. The provision of section 100 Cr.P.C has not been followed. Petitioner is in custody since 21.03.2020 having clean antecedent.

Considering the facts and circumstances of the case, 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 Additional District and Sessions Judge II-cum-Special Judge Excise, Gopalganj in connection with Hathuwa P.S. Case No. 29 of 2020, subject to following 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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