

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22065 of 2020

Arising Out of PS. Case No.-78 Year-2020 Thana- CHIRAIYA District- East Champaran

Raju Paswan Son of Kamal Paswan Resident of Village - Mohadipur, P.S.-
Chiraiya, District - East Champaran ... Petitioner

Versus

The State Of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Abhishek Kumar, Advocate

For the Opposite Party : Mr. Panchanand Pandit, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-08-2020 Heard learned counsel for the parties.

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

35 liters of country made liquor is said to have been recovered from the bag of the petitioner.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in this case on suspicion. He submits that in fact the said liquor had been recovered from the side of the road kept in abandoned condition. He submits that the petitioner is no way concerned with the said recovery. Even, provisions of section 100 Cr.P.C. has not been followed by the police at the time of making aforesaid search and seizure. Petitioner has got no criminal antecedent and he is in custody since 7.3.2020.

Considering the quantity of recovered country made liquor as well as the period of custody of the petitioner, 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 Special Judge, Excise Act,



East Champaran, Motihari in Chiraiya Police Station Case No. 78 of 2020 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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