

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21634 of 2020**

Arising Out of PS. Case No.-201 Year-2020 Thana- ARARIA District- Araria

PAPPU KUMAR ROY Son of Ramnath Roy Resident of Village- Bara Govind, Ward No.01, P.S.- Chakiya, Distt- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner : Mr.Sanjay Kumar Sharma, Advocate  
For the Opposite Party : Mr.AC to AG, Bihar

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      06-07-2020                      This matter is taken up for consideration through  
Video Conferencing.

Heard learned counsel for the petitioner as well as  
learned counsel for the State.

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

103.25 liters of liquor has been recovered from a  
vehicle. Petitioner and one other accused person was arrested.

Learned counsel appearing for the petitioner submits  
that the petitioner has falsely been implicated in this case. The  
mandatory provision of law for search and seizure given under  
section 100 Cr.P.C. has not been followed. He submits that  
nothing incriminating has been recovered from the petitioner as



the recovery and the prosecution allegation is false and concocted. Petitioner has got no criminal antecedent. Petitioner is in custody since 9.3.2020.

Considering the facts of the case, 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 Additional Sessions Judge II cum Special Judge Araria in PS. Case No.-201 Year-2020 Thana-ARARIA District- Araria 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)**

Shashi

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