

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21983 of 2020

Arising Out of PS. Case No.-509 Year-2019 Thana- MASHRAK District- Saran

Badshah Raut Son Of Jetan Raut Resident Of Village - Dumduma, P.S.-
Mashrakh, District - Saran.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Mukesh Kumar Singh, Advocate
For the Opposite Party : Mr. Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-07-2020 Heard learned counsel for the parties.

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

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

Learned counsel appearing for the petitioner, denying the allegations, submits that the petitioner has falsely been implicated in this case. Petitioner has got no criminal antecedent and he is in custody since 17.3.2020. The mandatory provision of law for search and seizure given under section 100 Cr.P.C. has not been followed. Similarly situated co-accused has already been allowed bail by a bench of this Court detailed in para 11 of the bail petition. Nothing incriminating has been



recovered from his conscious possession.

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, Excise Act Chapra, Saran in PS. Case No.-509 Year-2019 Thana- MASHRAK District- Saran 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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