

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30751 of 2020

Arising Out of PS. Case No.-187 Year-2020 Thana- NAUBATPUR District- Patna

RAHUL KUMAR Son of Jawahir Ram @ Jawahar Ram Resident of Village-
Chnadpura, Dariyapur, P.S.- Naubatpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha, Advocate.

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 25-11-2020 This matter has been taken up in virtual Court.

Let the defects be removed within two weeks of the
start of the physical Court.

Heard the parties.

The petitioner is languishing in custody for the
offence punishable under Sections 37(b)(c) of Bihar Prohibition
and Excise Act and Sections 25(1-b)a/26 of the Arms Act.

Petitioner was allegedly apprehended in intoxicated
condition along with fire arm. Petitioner is in custody since
11.04.2020. Investigation of the case is already complete.
Petitioner has got no criminal antecedent.

Submission is that there is non-compliance of
mandate of Section 100 Cr.P.C. in the matter of search and
seizure nor there is any method to test that the petitioner had
having consumed liquor.



Considering the submission aforesaid and completion of investigation, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Naubatpur P.S. Case No. 187 of 2020, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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