

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49287 of 2019

Arising Out of PS. Case No.-387 Year-2019 Thana- FATUA District- Patna

1. Sonu Kumar @ Munshi Son of Late Barati Choudhary Resident of Village - Bankipore Gorakh, P.S.- Fatuha, District - Patna (Bihar)
2. Sujeet Kumar Son of Late Barati Choudhary Resident of Village - Bankipore Gorakh, P.S.- Fatuha, District - Patna (Bihar)

... .. Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr.Ashok Kumar Varma, Advocate

For the Opposite Party : Mr.Anil Prasad Singh, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 26-02-2020 Heard learned counsel for the petitioners as well as
learned counsel for the State.

Petitioners apprehend arrest in a case registered for
the offences punishable under Section 30a Bihar Prohibition and
Excise Act.

9 liters of foreign liquor and 102 pouches of country
made liquor have been recovered from a Community Hall.

Learned counsel for the petitioners submits that the
petitioners have falsely been implicated in this case and nothing
has been recovered from their possession.provision of section
100 Cr.P.C. has not been followed at the time of search and
seizure.

Considering the facts of the case, let the petitioners,
above named, in the event of arrest/surrender before the Court



below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Special Judge, Excise Act Patna in Fatuha Police Station Case No. 387/2019/ Special case no. 5375 of 2019 on the following conditions:-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper 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

U		T	
---	--	---	--

