

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70300 of 2019

Arising Out of PS. Case No.-256 Year-2019 Thana- MANJHI District- Saran

Chandan Kumar Sagar aged about 20 years, Male, Son of Munna Ram
Resident of Village - Sultanpur, Bairiya, P.S. - Shadiyabad, District - Gazipur
(U.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harish Kumar

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-01-2020

Heard learned counsel for the parties.

The petitioner seeks bail in Manjhi P.S. Case No.
256 of 2019 registered for the offence under Section 30, 30(g),
38(i)(ii) of Bihar Prohibition and Excise Act, 2016.

In this case, 19 liters of foreign liquor is said to
have recovered from the motorcycle of the petitioner.

It is submitted on behalf of petitioner that petitioner
has falsely been implicated in this case and nothing has been
recovered from conscious possession of the petitioner. It is
further submitted that mandatory provision of Section 100
Cr.P.C. has not been followed with respect to search and seizure.
There is also no allegation against the petitioner of tampering
with the evidence and petitioner is in custody since 02-09-2019,



having no criminal antecedent.

Considering the aforesaid facts and circumstances as well as nature of accusation, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge, Saran in connection with Manjhi P.S. Case No. 256 of 2019 on the following conditions:

“(1) Petitioner shall cooperate 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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