

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76826 of 2019

Arising Out of PS. Case No.-216 Year-2018 Thana- PATLIPUTRA District- Patna

=====

Mantu Kumar @ Mintu Kumar Singh Son of Late Dharm Nath Singh
Resident of Village - Govindchak @ Gobindchak, P.S.- Sonepur, District -
Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 14-02-2020 Heard learned counsel for the parties.

Petitioner apprehends his arrest in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

The prosecution case, in brief, is that 7 empty gallons is said to have been recovered from tempo of the petitioner.

It has been submitted on behalf of the petitioner that the petitioner has falsely been implicated in this case. He has further submitted that no illicit liquor has been recovered, only 7 empty gallons have been recovered from the tempo. He has further submitted that no incriminating material has been recovered from the conscious possession of the petitioner and no offence under Excise Act is made out against the petitioner.



The petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances as well as nature of accusation, in the event of his arrest/surrender within a period of six weeks from today, 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 the Special Judge Excise, Patna in connection with Patliputra P.S. Case No. 216 of 2018, 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 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)

S.Katyayan/-

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

