

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77050 of 2019

Arising Out of PS. Case No.-281 Year-2019 Thana- CHAKIA District- East Champaran

Santosh Chaudhary Son of Late Desai Chawdhry Resident of Village-
Shantinagar, ward no.6, P.S.-Chakiya, District-East Champaran at Motihari.
... .. Petitioner

Versus

The State Of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Vibhakar Kumar, Advocate
For the Opposite Party : Mr.Arun Kumar, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-02-2020 Heard learned counsel for the petitioner as well as
learned counsel for the State.

Petitioner apprehends arrest in a case registered for
the offences punishable under Sections 30(a) of the Bihar
Prohibition and Excise Act, 2016.

There is allegation of recovery of about 23 liters of
foreign liquor from the open field.

Learned counsel for the petitioner submits that the
petitioner is no way concerned with the recovery of liquor, as
the same has not been recovered from his conscious possession.
It is further submitted that the petitioner has got no criminal
antecedent. The mandatory provision under Section 100 Cr.P.C.
has not been followed at the time of seizure.

Considering the facts of the case, let the petitioner,
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 learned Additional
Sessions Judge IX cum Special Judge Excise Act, East



Champaran at Motihari in Chakiya Police Station Case No. 281 of 2019, 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)

Shashi

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

