

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84173 of 2019

Arising Out of PS. Case No.-297 Year-2019 Thana- HUSSAINGANJ District- Siwan

PAPPU KUMAR YADAV Son of Ramashish Yadav Resident of Village -
Badram, P.S.- Hussainganj, Distt - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramadhar Shekhar

For the Opposite Party/s : Mr.Raj Kishore Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 04-03-2020 Heard learned counsel for the parties.

The petitioner apprehends his arrest in Hussainganj
P.S. Case No.297/19 registered for the offence under Sections
30A, 38(i), 41(i) of Bihar Prohibition and Excise Act, 2016.

As per prosecution case, 95.40 litres of foreign liquor
is said to have recovered from drainage.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case only on the
basis of suspicion. It is further submitted that nothing has been
recovered from the possession of petitioner. Mandatory
provisions under Section 100 Cr.P.C has not been followed with
regard to seize and Seizure. Petitioner has clean antecedent.

Considering the aforesaid facts and circumstances as
well as nature of accusation, in the event 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) each with two sureties of the like amount each to the satisfaction of learned A.D.J.-II-cum-Special Judge, Excise Act, Siwan in connection with Hussainganj P.S. Case No.297/19, subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Prabhat Kumar Singh, J)

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