

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 85798 of 2019**

Arising Out of PS. Case No.-1329 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Aurangabad

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LAL MOHAN KUMAR Son of Munarik Yadav Resident of Village -
Chandauli, P.S.- Aurangabad Muffasil, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh
For the Opposite Party/s : Mr. Parmanand Kumar

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 16-01-2020 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in Aurangabad Excise Case No
1329 of 2019 instituted for the offence punishable under Section
(s) 30 (a) of Bihar Prohibition and Excise Act, 2018.

Having no criminal antecedent, it is submitted that the
petitioner has been implicated in this case upon alleged recovery
of 182 liters of country made liquor from outside the southern
boundary of his house. It is submitted that the prosecution case
itself suggests that the recovery is not from the petitioner's
possession or property. Other than suspicion, there is no
material against the petitioner and that there is no compliance of
the provisions of Section 100 of Criminal Procedure Code.



Learned APP for the State opposed the prayer for bail.

Considering the aforesaid, let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge VII -cum- Special Judge (Excise), Aurangabad in connection with Aurangabad Excise Case No 1329 of 2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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