

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.215 of 2020

Arising Out of PS. Case No.-209 Year-2019 Thana- SALIMPUR District- Patna

CHANDRA RAI @ CHANDAR RAY Son of Late Vidyanand Rai Resident
of Village - Kala Diyara, P.S.- Salimpur, District – Patna ... Petitioner
Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate
For the Opposite Party/s : Sharda Kumari, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-02-2020 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 30,32 and 41 of the
Bihar Prohibition and Excise Act, 2016.

There is allegation of recovery of about 26.280 liters
of foreign liquor from the bricks kiln of one Bablu Rai.

Learned counsel for the petitioner submits that the
petitioner is no way concerned with the recovery, as the same
has not been recovered from his conscious possession.
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) with two sureties of the like amount
each to the satisfaction of the learned Special Judge Excise Act
Patna in Salimpur Police Station Case No. 209 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)

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