

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34172 of 2020

Arising Out of PS. Case No.-165 Year-2020 Thana- DIDARGANJ District- Patna

Suresh Kumar son of Nanhi Prasad @ Nanhi Singh resident of village Kothia
P.S. - Didarganj District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs .Usha Kumari Singh, Advocate
For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 11-01-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the offences punishable under Section 30(a)/36 of the Bihar Prohibition and Excise Act.

Huge quantity of liquor was recovered from the house of the petitioner.

Submission is that there is non-compliance of mandate of law under Section 100 Cr.P.C. in the matter of search and seizure. The petitioner has stated on oath that he has got no criminal antecedent. The petitioner is in custody since 28.07.2020. Investigation of the case is already complete. The petitioner is ready to cooperate with the trial.

Considering the facts aforesaid, let the petitioner,



above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Special Case No.4567 of 2020, arising out of Didarganj P.S. Case No.165 of 2020, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) If the Court-below would come to notice that petitioner has committed identical offence that would be a ground for cancellation of bail in this case also by the Court-below itself.

(Birendra Kumar, J)

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