

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3316 of 2020

Arising Out of PS. Case No.-233 Year-2019 Thana- AMAS District- Gaya

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PAPPU KUMAR Son of Vishvanath Yadav @ Vishanath Yadav Resident of
Village - Ahuri, P.S.- Amas, Distt - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kamal Kumar Sinha, APP

For the Opposite Party/s : Mr. J.N. Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 09-06-2020 The matter has been taken up through virtual court
proceeding.

Heard learned counsels for the petitioner and the
State.

The petitioner, who is languishing in custody since
17.12.2019, has preferred the present application for grant of
bail in a case registered for the offence punishable under Section
Section 30(a) of the Bihar Prohibition and Excise Act, 2016, as
amended by Amendment Act 8 of 2018.

The prosecution case, as per the written report of S.I.,
Deelip Kumar, submitted to the S.H.O., Amas Police Station is
to the effect that on 15.12.2019 at about 7 P.M., during
patrolling, a secret information was received that through a
WagonR car, illicit liquor is being transported, consequently, a



WagonR car coming from Gurua side was intercepted and from the vehicle in question, 425 liters of country made mahua liquor were recovered and the driver of the vehicle in question was apprehended, who disclosed his name as Pappu Kumar, the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner was not aware about the illicit liquor being kept in the vehicle in question. The investigation has already been concluded and the petitioner is languishing in custody since 17.12.2019. A statement has been made in paragraph no. 3 of the petition that the petitioner is accused in one other case.

Learned counsel for the State submits that recovery has been made from the vehicle in question, which is being driven by this petitioner.

Considering the period under custody and the fact that investigation has already been concluded, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned Special Judge, Excise, Gaya in connection with Amas P.S. Case No. 233 of 2019.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail



bond on furnishing an undertaking by the surety, on photo copy of his Aadhar Card to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties including one surety given at the time of provisional bail of the like amount each to the satisfaction of learned Special Judge, Excise, Gaya in connection with Amas P.S. Case No. 233 of 2019.

The learned Court below will be at liberty to extend the further period of provisional bail if the lockdown is not over in next three months.

(Dinesh Kumar Singh, J)

Amrendra/-

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