

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9067 of 2020

Arising Out of PS. Case No.-516 Year-2019 Thana- KAJI MUHAMMADPUR District-
Muzaffarpur

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Santosh Pandit S/o Kesho Pandit Resident of Village/Mohalla- Parao Pokhar,
Amgola, Kumahar Toli, P.S.- Kazimohammadpur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 11-06-2020 The matter has been taken up through virtual Court
proceeding.

None appears for the petitioner. However, Mr. J.N.
Thakur, learned counsel for the State is present.

The present application has been preferred on
behalf of the petitioner for grant of bail in connection with a
case registered for the offences punishable under Sections
30(a)/37(b)/37(c) of the Bihar Prohibition and Excise Act, 2016,
as amended by Act 8 of 2018.

The prosecution case, as per the self statement of
Md. Shujauddin, Inspector -cum- SHO, Kazimohammadpur
Police Station recorded on 13.12.2019 at 10.00 A.M., is to the
effect that on the same day during evening patrolling, a



confidential information was received that Santosh Pandit, the petitioner along with his friend co-accused Raushan Kumar have stored liquor, consequently, house of Santosh Pandit was raided, from which, 88.600 litres of Indian Made Foreign Liquor were recovered.

From the pleadings, it appears that the recovery has been made from joint family house and a statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent. The petitioner is languishing in custody since 14.12.2019 and investigation has already been concluded.

Learned APP for the State submits that the recovery has been made from the house of the petitioner.

Considering the fact that investigation has already been concluded and statement being made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, 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 Act, Muzaffarpur in connection with Kazimohammadpur P.S. Case No. 516 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 upon 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 the learned Special Judge, Excise Act, Muzaffarpur in connection with Kazimohammadpur P.S. Case No. 516 of 2019.

The learned Court below is at liberty to further extend the period of provisional bail if the court proceeding in physical mode will not resume in next three months.

(Dinesh Kumar Singh, J)

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