

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11361 of 2020

Arising Out of PS. Case No.-561 Year-2019 Thana- AKBARPUR District- Nawada

AMAN KUMAR @ SATYA NARAYAN RAM Son of Sudama Ram Resident
of Village Kendua P.O. Baksanda P.S. Akbarpur, District Nawada.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parmod Kumar, Advocate

For the Opposite Party/s : Mr. Mukeshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 14-05-2020 The matter has been listed today for consideration through Video Conferencing in view of the Nationwide Lockdown on account of the Covid 19 pandemic.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in Akbarpur P. S. Case No. 561 of 2019, GR No. 1793 of 2019 instituted for the offence under Section 37(c) of the Bihar Prohibition and Excise Act, 2016.

The petitioner is alleged to have indulged in obscene behavior and exposed his private parts in public, leading to information being sent by the informant to the Police Station. Thereafter he has been apprehended and it is alleged that breathalizer test was conducted at the police station, which revealed that petitioner had consumed alcohol. The petitioner on such allegation is in custody since 23.12.2019.



It is submitted by learned Counsel for the petitioner that the petitioner is innocent. There is no allegation of the petitioner using criminal force or assault against anyone. He has been made a victim of village politics and has no criminal antecedent. Submission is of false implication.

The learned APP for the State opposed the prayer for bail.

Considering the aforesaid, let the petitioner, above named, 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 Additional District Judge 2nd cum Special Judge Excise Act, Nawada, in connection with Akbarpur P. S. Case No. 561 of 2019, GR No. 1793 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.

It is further made clear that during currency of the nationwide lockdown due to COVID 19 pandemic, requirement of furnishing bail bonds and conditions shall remain suspended and the petitioner be released on executing and furnishing his personal bond to the satisfaction of the court concerned.

The petitioner must comply with the requirements of furnishing bail bonds, and conditions in terms of this order within 4 weeks after normal working resumes, failing which bail granted under this order shall stand cancelled and petitioner liable for the consequences thereof in accordance



with law.

Let this order be communicated, without any delay, to the court of learned Additional District Judge 2nd cum Special Judge Excise Act, Nawada and the competent authority of the State in terms of clause 13 of Notice II published in the Cause list uploaded on the website of the Patna High Court.

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(Madhuresh Prasad, J)

