

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 10431 of 2020

**Pinku Kumar aged about 19 years male son of Sachchita Rai
resident of village Chhitanawa Baripul ke pass, P.S. Maner, District
Patna
.....Petitioner**

Versus

**The State of Bihar
.....Opposite Party**

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Appearance

For the Petitioner : Mr. Gaurav Singh, Advocate

For the State : Mr. Kalyan Shankar, APP

CORAM : HONOURABLE MR. JUSTICE PARTHA SARTHY

Oral Order

2 14.05.2020

Heard learned counsel for the petitioner and learned APP for the State through video conferencing.

The petitioner who is in custody since 16.12.2019 has filed the instant application for grant of bail in connection with Special Case no. 11222 of 2019 (arising out of Maner P.S. Case no. 619 of 2019) registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.



As per allegation in the FIR, on search being carried out, a total of 40 litres of country liquor was recovered from a bag tied to the motorcycle of the petitioner and he was taken into custody.

It is submitted by learned counsel for the petitioner that nothing has been recovered from the possession of the petitioner. Not a single independent witness has put his signature on the seizure list. The petitioner has no criminal antecedent and is in custody since 16.12.2019. It is further submitted that charge sheet has already been submitted in the case.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the fact that the petitioner has no criminal antecedent, his being in custody since 16.12.2019 and the investigation having concluded, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Special Case no. 11222 of 2019 (arising out of Maner P.S. Case no. 619 of 2019) 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, Patna.

(Partha Sarthy, J)

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