

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.13371 of 2020**

Arising Out of PS. Case No.-639 Year-2019 Thana- SARAIYA District- Muzaffarpur

UJJAWAL KUMAR @ UJJAL KUMAR Son of Ram Kumar Chaudhary
Resident of Village-Kharauna Dih, P.S.-Kudhani, District-Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Singh,Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 15-06-2020 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Saraiya P.S. Case No. 639 of 2019 registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act, 2016.

Earlier the prayer for regular bail of the petitioner was rejected at the said stage taking note of the allegation that 13 litres of illicit liquors were allegedly recovered from his possession and he has been in custody in connection with the said case only since 23.09.2019.

Learned counsel for the petitioner has submitted



that the petitioner has completed nine months of custody in connection with the present case and the co-accused similarly situated has been granted regular bail by learned Coordinate Bench of this Court in Cri. Misc. Case No. 81302 of 2019.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

In these facts and circumstances of the case, now let the petitioner above named be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Muzaffarpur in connection with Saraiya P.S. Case No. 639 of 2019 , subject to the conditions as laid down under Section 437(3) of the Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not, directly or



indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic during the lockdown period. The authorities concerned shall take appropriate steps to ensure such observance prior to and after release of the petitioner.

The application is allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

