

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14699 of 2020

Arising Out of PS. Case No.-416 Year-2019 Thana- KHUSRUPUR District- Patna

RAUSHAN KUMAR S/o Late Guna Saw Village- Bhuski, Ward No.- 7, P.S.-
Khusrupur, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikash Kumar Pankaj

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 12-06-2020 The matter has been taken up through virtual court
proceeding.

The counsel for the petitioner is permitted to remove
the defects within a period of four weeks.

Heard learned counsel for the petitioner and the State.

The petitioner, who is languishing in custody since
27.12.2019, has preferred the present application for grant of
bail in a case registered for the offence punishable under Section
30(a) of the Bihar Prohibition and Excise Act, 2016, as amended
by Act 8 of 2018.

The prosecution case, as per the written report of
Moeid Khan, Sub-Inspector of police, submitted to the S.H.O.
Khusrupur is to the effect that on 26.12.2019 at 5.30 P.M.,
during patrolling, a confidential information was received that
the petitioner is trading in liquor, consequently, raid was laid
and from the house of the petitioner, 44.58 litres of Indian Made



Foreign Liquor were recovered.

It is submitted by learned counsel for the petitioner that recovery has been made from the joint family house of the petitioner. The investigation has already been concluded. A statement has been made in paragraph no.3 of the petition that the petitioner is accused in three other cases, in which he is on bail.

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

Considering the investigation already being concluded and period under custody, 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, Patna in connection with Khusrupur P.S. Case No. 416 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 Act, Patna in connection with Khusrupur P.S. Case No. 416 of 2019.

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

In view of the criminal antecedent of the petitioner, learned Court below will be at liberty to cancel the bail bonds of the petitioner if he substantially involved in similar nature of offence.

(Dinesh Kumar Singh, J)

Amrendra/-

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