

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14200 of 2020

Arising Out of PS. Case No.-968 Year-2018 Thana- MOTIPUR District- Muzaffarpur

BHOLA RAI S/o Late Basdeo Rai R/o village- Motipur (Mahana Road), P.S.-
Motipur, District- Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Satyendra Narayan Singh

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-05-2020 Due to COVID-19 Pandemic, the matter is being taken
up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’
under the orders of Hon’ble the Chief Justice.

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

The petitioner seeks bail in a case instituted for the
offences under Sections 272, 273 of the Indian Penal Code and
30(a), 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 1535.760 liters wine is
recovered.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 3.8.2019. Charge-sheet/prosecution
report has been submitted in this case. There is no allegation of
tampering of witnesses alleged against the petitioner. It is alleged that



1535.760 liters wine is recovered from the possession of Rup Nandan Rai. The name of the petitioner has transpired merely on the basis of suspicion. Except for suspicion, there is no other substantive evidence to suggest his implication in the present case. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the facts and circumstances of the case and also the lockdown, the petitioner above named, is directed to be released on bail on his personal bond to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Motipur P.S. Case No. 968 of 2018.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of four weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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