

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12866 of 2020

Arising Out of PS. Case No.-10 Year-2020 Thana- TERHAGACHH District- Kishanganj

Md. Subhan, aged about 27 years, Male, Son of Md Hasib Resident of Village
- Kabaiya, P.S.- Palasi, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Arun Kumar

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 13-05-2020 Perused the records and heard learned counsel for
the State through virtual court proceeding.

In this case, the petitioner is seeking bail in connection with Terhagachh P.S. Case No. 10 of 2020 giving rise to Special Case No. 42 of 2020 registered for offences under sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per prosecution story, the police intercepted a motorcycle coming to India from the Nepal side and, on search, the police recovered 66 litres foreign wine from the motorcycle.

Learned counsel for the petitioner submits that the petitioner has got no criminal antecedent as has been stated in paragraph no.3 of the present bail application.

The petitioner is in judicial custody since 3.2.2020.



Looking to the entire facts and circumstances of the case as also considering the present situation arising out of Covid-19 outbreak, let the petitioner, above named, be released on bail on furnishing personal bail bond to the satisfaction of learned 2nd Additional District and Sessions Judge cum Special Judge, Excise Kishanganj in connection with Terhagachh P.S. Case No. 10 of 2020 giving rise to Special Case No. 42 of 2020, subject to the condition that if the petitioner is found involved in future in similar type of offenses, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail granted to the petitioner.

(Shivaji Pandey, J)

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