

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16995 of 2020

Arising Out of PS. Case No.-10 Year-2020 Thana- BIHRA District- Saharsa

Md. Subhan @ Md. Shubhan Son of Late Md. Mansur @ Late Md. Mansoor
Resident of Village - Bihra Ward No.5, P.S.- Bihra, Dist.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha

For the Opposite Party/s : Mr.Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-05-2020 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 at the instance of the
learned counsel for the petitioner.

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

The petitioner seeks bail in a case registered under Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 5 liters wine is
recovered.

It has been submitted on behalf of the petitioner that there
is no allegation of tampering of witnesses alleged against the
petitioner. The petitioner is in custody since 12-01-2020. Charge
sheet/Prosecution report in this case has already been submitted. It is



alleged that 5 liters wine is recovered. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C. The trial is not likely to be concluded in near future.

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

Considering the aforesaid 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Saharsa in connection with Special (Excise) Case No. 22 of 2020 arising out of Bihra P.S. Case No. 10 of 2020.

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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