

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16735 of 2020

Arising Out of PS. Case No.-23 Year-2020 Thana- MOHANIYA District- Kaimur (Bhabua)

SANTOSH KUMAR @ SANTOSH KUMAR RAM, aged about 38 years,
Male, S/o Late Ram Bachan Ram, R/o village- Kudra Jahanabad, P.S.- Kudra,
District- Kaimur at Bhabua.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Tribhuwan Narayan, Advocate.
For the Opposite Party : Mr. Upendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 13-05-2020 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
A.P.P. 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 total 32.400
liters wine is recovered.

It has been submitted on behalf of the petitioner that
the petitioner is languishing in custody since 29.01.2020. The
petitioner has falsely been implicated in the present case.
Charge sheet/prosecution report has been submitted in this case.



There is no allegation of tampering with the witnesses alleged against the petitioner. It is alleged that total 32.400 liters wine is recovered from the *Scooty*. There is no compliance of Section 100 Cr.P.C. There is no chance of the trial being concluded in near future.

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

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 A.D.J.-3rd-cum-Special Judge (Excise), Kaimur at Bhabua in connection with Excise Case No. 95 of 2020, arising out of Mohania P.S. Case No. 23 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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