

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19328 of 2020**

Arising Out of PS. Case No.-55 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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BHOLA RAY Son of Late Ramchito Ray Resident of Village - Moditole,
Bhanpur, P.S. - Khanpur, District - Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh
For the Opposite Party/s : Mr.Pushpa Sinha-1, APP

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 08-06-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing lock-down on account of COVID 19 Pandemic, requiring social distancing.

Heard Mr. Abhay Shankar Singh-1, the learned counsel for the petitioner and Ms. Pushpa Sinha, the learned APP appearing for the State.

The petitioner seeks regular bail in connection with Excise CAs No. 55 of 2020 (Excise G.R.No. 54 of 2020), registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation is regarding recovery of 14.325 liters of illicit liquor from an open field situated behind the house of the



petitioner, near the road.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 12.2.2020. It is further submitted that no recovery of illicit liquor has been made from the conscious possession of the petitioner, hence, the petitioner is having no complicity in the alleged occurrence.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the fact that no recovery of illicit liquor has been made from the conscious possession of the petitioner and the petitioner is having a clean antecedent, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Samastipur in connection with



Excise Case No. 55 of 2020 (Excise GR No. 54 of 2020).

(Mohit Kumar Shah, J)

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