

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.19295 of 2020**

Arising Out of PS. Case No.-47 Year-2020 Thana- BEGUSARAI TOWN District- Begusarai

Amit Kumar @ Karu, Son of Jai Ram Singh, Resident of Village -
Shankarwar Ward No.16, P.S.- Mokma, Dist.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh, Advocate

For the Opposite Party/s : Mr.Renu Kumari, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 05-06-2020 Learned counsel for the petitioner undertakes to

remove the defects, if any, within two weeks from start of

normal functioning of the Court.

Heard learned counsel for the petitioner and

learned A.P.P. for the State.

Petitioner in the present case is seeking regular

bail in connection with Begusarai Town P.S. Case No. 47 of

2020 registered for the offences punishable under Section

30(a) of the Bihar Prohibition & Excise Act.

Learned counsel for the petitioner submits that the

illicit liquor has not been recovered from the conscious

possession of the petitioner. Learned counsel submits that



petitioner is a tenant in the same building but is occupying another room and at the time of raid conducted by police on request of the police party he went to the police station where he was asked to be a witness which he refused and thereafter he was arrested as also considering that the petitioner has no criminal antecedent he is in custody since 22.01.2020, Investigation against him is complete.

Learned A.P.P. for the State has though opposed the prayer for regular bail of the petitioner.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the illicit liquor has not been recovered from the conscious possession of the petitioner, he is a tenant in the same building but is occupying another room and at the time of raid conducted by police on request of the police party he went to the police station where he was asked to be a witness which he refused and thereafter he was arrested, as also considering that the petitioner has no criminal antecedent, he is in custody since 22.01.2020, investigation against him is complete and there is no submission on behalf of the State that his release at this stage is in any way



likely to interfere with the course of trial or tamper with the evidence, let the petitioner above named be released on bail in connection with Begusarai Town P.S. Case No. 47 of 2020 on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge – II – cum – Special Judge, Excise Act, Begusarai., subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that he will abide by and observe the guidelines and directives of the Government of



India and the State Government with regard to COVID-19
Pandemic during the lockdown period. The authorities
concerned shall take appropriate steps to ensure such
observance prior to and after release of the petitioner.

This application is allowed.

(Rajeev Ranjan Prasad, J)

vats/Rajeev

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

