

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18296 of 2020

Arising Out of PS. Case No.-79 Year-2020 Thana- SHASTRINAGAR District- Patna

BACHHU RAJAK Son of Late Vitan Rajak Resident of Jagdeo Path Maurya Path, In front of Pillar No. 15, Shyamal Hospital Gali, P.S.- Shastri Nagar, Distt.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jain

For the Opposite Party/s : Mrs. Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-05-2020 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 Mrs. Anita Kumari Singh, the learned A.P.P. appearing for the State.

The petitioner seeks regular bail in connection with Shastrinagar P.S. Case No. 79 of 2020 (Special Case No. 1137 of 2020) for the offence punishable under Section 30(a) and 37(b) (c) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 102 liters of illicit country made liquor from a hut and three persons including the petitioner were arrested while fleeing away from



the hut.

It is the submission of the petitioner in the bail petition that the petitioner is innocent and has been falsely implicated in the present case. The petitioner is stated to be having a clean antecedent and is languishing in custody since 02.02.2020.

Per contra, the learned APP appearing for the State has submitted that the petitioner is named in the FIR and there is specific allegation against him.

Having regard to the facts and circumstances of the case, considering the submissions made in the present petition as also taking into account the fact that the petitioner is having a clean antecedent and is languishing in custody since 02.02.2020, I deem it fit and proper to direct for release of the petitioner on bail upon him furnishing personal bond to the satisfaction of learned Special Judge, Excise, Patna in connection with Shastri Nagar P.S. Case No. 79 of 2020 (Special Case No. 1137 of 2020).

It is further directed that once the lock-down is over and normal situation is restored, the petitioner, above named, shall furnish bail bonds of a sum 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 learned Special Judge, Excise, Patna in connection with Shastri Nagar P.S. Case No. 79 of 2020 (Special Case No. 1137 of 2020), failing which the present privilege of bail being extended to the petitioner shall stand revoked automatically.

The present petition stands allowed.

(Mohit Kumar Shah, J)

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