

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17977 of 2020

Arising Out of PS. Case No.-179 Year-2019 Thana- HASPURA District- Aurangabad

1. BHOLA KUMAR S/o Late Devendra Prasad R/o village- Balabigha, P.S.-
Haspura, District- Aurangabad
2. Sarwan Kumar S/o Late Devendra Prasad R/o village- Balabigha, P.S.-
Haspura, District- Aurangabad

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Ravindra Kumar

For the Opposite Party : Mr.Indu Kumari Srivastava

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 13-05-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

This application for grant of regular bail arises out of
Haspura P.S. Case No. 179 of 2019 registered for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

Allegedly, from the petitioners' possession, the
police are said to have recovered 37.50 liters of foreign liquor.
The petitioners are in custody since 26.12.2019. From the
statement made in paragraph 3 of the application, I notice that
both the petitioners have criminal antecedent inasmuch as they
have been made accused in at least two cases.

Considering the quantity of liquor said to have



been recovered from the possession of the petitioners and the period of custody, this application is allowed.

Let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-VII-cum-Special Judge, Excise, Aurangabad, in Haspura P.S. Case No. 179 of 2019.

It is, however, observed that if the petitioners are made accused in any case subsequent to their release on bail pursuant to the present order, the State shall be obliged to apply for cancellation of bail granted by the present order.

Since there is a lock down, the Court has considered it appropriate to adopt following procedure for communication of the present order :-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me,



shall be preserved in my residential-office for documentation and future use, if any.

(iv) The said order shall be communicated to the Court below for the needful by the Registry through e-mail.

Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social distancing.

(Chakradhari Sharan Singh, J)

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