

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17605 of 2020

Arising Out of PS. Case No.-19 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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Rajendra Sada, Aged about 35 years, Male, Son of Late Poran Sada Resident of Village - Chikana, Ward No. 03, P.O. - Diwari, P.S.- Pupari, Distt - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate
For the State : Mr. Jharkhandi Upadhyay, APP

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL ORDER

2 13-05-2020 The matter has been listed and heard *vide* video conferencing in view of the lock-down imposed on account of the COVID-19 pandemic.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor (hereinafter referred to as the ‘APP’) for the State.

3. The petitioner is in custody in connection with Excise Case No. GO 19 of 2020 dated 01.02.2020 instituted under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

4. The allegation against the petitioner is that he was bringing 24.9 litres of Nepali wine on his cycle in a sack.



5. Learned counsel for the petitioner submitted that the petitioner was driving his cycle and the recovery has been falsely shown from him. It was further submitted that he has no other criminal antecedent and is in custody since 01.02.2020.

6. Mr. Jharkhandi Upadhyay, learned APP submitted that the petitioner was bringing liquor in a sack from Nepal.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District Judge II-cum-Special Judge, Excise Act, Sitamarhi in Excise Case No. GO 19 of 2020, subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that the petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates,



without sufficient cause, shall also lead to cancellation of his bail bonds.

8. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

Anjani/P.Kumar

