

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16788 of 2020

Arising Out of PS. Case No.-17 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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1. Rupesh Kumar, aged about 18 years, Gender-Male, S/o Shiv Dyal Mandal, Resident of Ward No. 11, Village and P.O.- Barahi, P.S.- Parihar, District-Sitamarhi,
 2. Chandan Kumar, aged about 18 years, Gender-Male, S/o Mohar Mandal, Resident of Ward No. 11, Village and P.O.- Barahi, P.S.- Parihar, District-Sitamarhi.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Amit Kumar Jha, Advocate.
For the Opposite Party : Mr. Satyavrat Verma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-05-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading 'For Orders' under the orders of Hon'ble the Chief Justice at the instance of the learned counsel for the petitioners.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners seek bail in a case registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that total 318 liters wine is recovered from the Motorcycle.



It has been submitted on behalf of the petitioners that the petitioners are in custody since 03.02.2020. The petitioners have got no criminal antecedent. Charge sheet/prosecution report has been submitted in this case. There is no allegation of tampering with the witnesses alleged against the petitioners. It is alleged that total 318 liters wine is recovered from the Motorcycle in question. The said Motorcycle in question does not belong to the petitioners. There is no compliance of Section 100 Cr.P.C. There is no chance of the trial being concluded in near future.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./Complaint case.

Considering the facts and circumstances of the case and also the lockdown, the petitioners, above named, are directed to be released on bail on their personal bond to the satisfaction of learned A.D.J. -II-cum-Special Judge, Excise Act, Sitamarhi in connection with Sitamarhi G.O. Case No. (17 of 2020)/ (85 of 2020).

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each within a period of four weeks to the satisfaction of the court concerned in connection



with the aforesaid case.

(Sudhir Singh, J)

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