

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 17221 of 2020

Arising Out of PS. Case No.-112 Year-2020 Thana- KHAJANCHI HAT District- Purnia

=====

RUPESH KUMAR SINGH Son of Dinesh Singh @ Dinesh Resident of
Village - Nav Ratan Hata, P.S.- K. Hat (Sahayak), District - Purnea.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar,Advocate

For the Opposite Party/s : Mr.Vinod Shanker Modi,APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 09-06-2020 This application has been placed for consideration by

the order of the Hon'ble the Chief Justice through virtual court

proceeding.

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner in the present is seeking regular bail in

connection with Khajanchi Hat (Sahayak) P.S. Case No. 112 of

2020 registered for the offences punishable under Sections 272,

273, 30(a) of Bihar Prohibition and Excise Act 2016.

Learned counsel for the petitioner submits that there is

no recovery of illicit liquor from his conscious possession and

the seizure list does not confirm to the mandatory provision as

contained in Section 100 Cr.P.C. The petitioner is said to be in

custody in connection with this case since 23.02.2020, he has no



criminal antecedent.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Considering the facts and circumstances of the case wherein the petitioner has remained in custody for over three months, investigation against him is complete and there is no submission that his release at this stage is in any way likely to adversely affect the course of trial as also he has no criminal antecedent, let the petitioner above named be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge cum Special Judge, Excise Purnea in connection with Khajanchi Hat (Sahayak) P.S. Case No. 112 of 2020, subject to the conditions as laid down under Section 437(3) of the 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, or 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.

The application is allowed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/Arvind

U		T	
---	--	---	--

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'.

