

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.16781 of 2020**

Arising Out of PS. Case No.-80 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Nalanda

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GUDDU KUMAR S/o Late Devendra Yadav @ Jamindra Yadav R/o village-
Sabnahua Dih, P.S.- Harnaut, District- Nalanda

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Binay Kumar,Advocate
For the Opposite Party/s : Ms.Meena Singh,APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 15-06-2020 Learned counsel for the petitioner and Ms.

Meena Singh, learned APP for the State are present.

The petitioner in the present case is seeking regular bail in connection with Harnaut Excise P.R. Case No. 08/19-20 registered for the offences punishable under Section 30(a) of the Bihar Excise and Prohibition Act.

Earlier the prayer for regular bail of the petitioner was rejected considering his custody being less as he had got criminal antecedent of similar nature.

Learned counsel for the petitioner submits that the court had granted a liberty to the petitioner to renew his prayer for regular bail after expiry of reasonable period and



now the petitioner has remained in custody for more than 5 months, investigation against him is complete and he is ready to abide by the terms and conditions.

Learned APP for the State has though opposed the prayer for regular bail of the petitioner, considering that the petitioner was granted liberty to renew his prayer for regular bail after expiry of reasonable period and he has remained in custody for over 5 months, let on completion of 6 months of his custody in connection with this case, 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 3rd Additional District & Sessions Judge cum Special Judge (Excise), Nalanda at Bihar Sharif in connection with Harnaut Excise P.R. Case No. 08/19-20 , 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,



oft he 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

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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'.

