

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.19294 of 2020**

Arising Out of PS. Case No.-536 Year-2019 Thana- SAKRA District- Muzaffarpur

Sri Ram Kumar @ Tinku Kumar, Son of Gauri Shankar Rai Resident of
Village - Malikaur, P.S.- Pusa, District- Samastipur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Anish Kumar, Advocate
For the Opposite Party/s : Mr.Anil Prasad Singh, A.P.P.

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

2 05-06-2020 Learned counsel for the petitioner undertakes to
remove the defects, if any, within two weeks from start of
normal functioning of the Court.

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

Petitioner in the present case is seeking regular bail in
connection with Sakra P.S. Case No. 536/2019 corresponding to
G.R. No. 2238/2019 registered for the offences punishable
under Section 420, 467, 468, 272, 273 of the Indian Penal Code
and Section 30(a) of the Bihar Prohibition and Excise Act and
Section 27 of the Arms Act.

Learned counsel for the petitioner submits that there is
no recovery of illicit liquor from the conscious possession of the



petitioner and he had no concern with the seized illicit liquor as well as seized vehicle and petitioner is in custody since 18.11.2019 and petitioner has no criminal antecedent.

Learned A.P.P. for the State has though opposed the prayer for regular bail of the petitioner.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that there is no recovery of illicit liquor from the conscious possession of the petitioner and he had no concern with the seized illicit liquor as well as the seized vehicle as also that the co-accused similarly situated have been granted bail by learned coordinate Bench of this court, petitioner is in custody since 18.11.2019 and has no criminal antecedent, let the petitioner above named be released on bail in connection with Sakra P.S. Case No. 536/2019 corresponding to G.R. No. 2238/2019 on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur, subject to the condition as laid down under Section 437 (3) 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, of 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.

This application is allowed.

(Rajeev Ranjan Prasad, J)

vats/Rajeev

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'.

