

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18976 of 2020

Arising Out of PS. Case No.-28 Year-2020 Thana- BIDUPUR District- Vaishali

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Jitendra Kumar Son of Nawal Rai Resident of Village - Majhauri Chowk,
P.S.- Bidupur, Distt - Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Arjun Prasad, Advocate

For the Opposite Party : Mr.Damodar Prasad Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 13-05-2020 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is in custody in connection with
Bidupur P.S. Case No. 28 of 2020 for the offence under Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the
petitioner has got no criminal antecedent and he is in custody
since 21.01.2020. He further submits that in the instant case
total 162.45 litres of country made liquor and 26 litres beer were
seized.

Counsel for the petitioner submits that the seizure was
not made in accordance with the mandatory provisions of
Section 100 of the Cr. P.C. Petitioner is a social worker and he
has been made accused in this case because he is a social



activist.

Considering the fact that the petitioner has got no criminal antecedent, the Court is inclined to grant bail to him. The petitioner, named above, is directed to be released on bail on furnishing his personal bond to the satisfaction of 2nd Additional Sessions Judge-cum-Special Judge, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 28 of 2020 due to the circumstance of total lockdown on account of the pandemic of COVID-2019, subject to the condition that if he is found involved in similar nature of case in future, the court below shall be at liberty to cancel bail bond.

(Anil Kumar Upadhyay, J)

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