

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18860 of 2020**

Arising Out of PS. Case No.-30 Year-2020 Thana- KURSAKANTA District- Araria

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AMAR KUMAR YADAV @ DARA KUMAR YADAV @ AMAR KUMAR
Son of Gayanand Yadav Resident of Village - Jagir Parbatta, P.S.- Kursakanta,
District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr. APP

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 14-05-2020 Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor for the State, through video

conferencing.

The petitioner seeks regular bail in connection with

Kursakanta Police Station Case No. 30 of 2020, registered for

the offence punishable under Section 30 (a) of the Bihar

Prohibition and Excise Act, 2016.

The allegation against the petitioner is that the police

intercepted one motorcycle and recovered 36 litres of illicit

Nepali liquor from the said motorcycle kept in a jute bag.

Learned Counsel for the petitioner submits that the

petitioner has not committed any offence in the manner alleged

and that the police, at the time of search and seizure, has not



followed the procedure laid down under Section 100 of the Code of Criminal Procedure, 1973. He further submits that the petitioner has got no criminal antecedent and he is in judicial custody since 18.02.2020.

After having heard learned Counsel for the parties and taking into consideration the fact that the petitioner has got no criminal antecedent and he is in custody since 18.02.2020, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on bail upon furnishing 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), Araria, in connection with Kursakanta Police Station Case No. 30 of 2020.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding lockdown and social distancing.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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