

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18254 of 2020

Arising Out of PS. Case No.-15 Year-2020 Thana- SHASTRINAGAR District- Patna

JITENDRA KUMAR Son of Late Kameshwar Prasad Tarun Resident of
Mohalla- Patel Nagar, P.S.- Shashtri Nagar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Prasad, Adv.
For the Opposite Party/s : Smt. Anita Kumari Singh, APP
Mr.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-05-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing lock-down on account of COVID 19 Pandemic, requiring social distancing.

Heard Shri Sanjay Prasad, the learned counsel appearing for the petitioner and Smt. Anita Kumari Singh, the learned APP appearing for the State.

The petitioner seeks regular bail in connection with Special Case No. 219 of 2020 arising out of Shashtri Nagar P.S. Case No. 15 of 2020 for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 59 liters of illicit liquor from the house of the petitioner.



The learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in the present case. It is also submitted that though the petitioner is accused in one other case, but he is on bail in the said case. The learned counsel for the petitioner has further submitted that co-accused person has already been granted bail by a co-ordinate Bench of this Court vide order dated 28.02.2020 passed in Cr. Misc. No.11887 of 2020. Lastly, it is submitted that the petitioner is languishing in custody since 06.01.2020.

Per contra, the learned APP appearing for the State has submitted that the petitioner is named in the FIR and there is specific allegation against him.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner as also considering the parity of the case of the petitioner with that of the co-accused person who has already been granted bail and taking into account the fact that the petitioner is languishing in custody since 06.01.2020, I deem it fit and proper to direct for release of the petitioner on bail upon him furnishing personal bond to the satisfaction of learned court of Special Judge (Excise), Patna in connection with Special Case No. 219 of 2020 arising out of Shashtri Nagar P.S. Case



No. 15 of 2020.

It is further directed that once the lock-down is over and normal situation is restored, the petitioner, above named, shall furnish bail bonds of a sum of Rs. 10,000/- with two sureties of the like amount each, within a period of four weeks, to the satisfaction of learned court of Special Judge (Excise), Patna in connection with Special Case No. 219 of 2020 arising out of Shashtri Nagar P.S. Case No. 15 of 2020, failing which the present privilege of bail being extended to the petitioner shall stand revoked automatically.

The present petition stands allowed.

(Mohit Kumar Shah, J)

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