

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18294 of 2020

Arising Out of PS. Case No.-99 Year-2020 Thana- SHEKHPURA District- Sheikhpura

FANTUSH KUMAR Son of Krishna Mahto Resident of Village - Hasanjung
@ Hasanganj, P.S.- Sheikhpura, Distt.- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Prasad

For the Opposite Party/s : Ms.Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 08-06-2020 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 the learned counsel for the petitioner and Ms. Meena Singh, the learned APP appearing for the State.

The petitioner seeks regular bail in connection with Sheikhpura P.S. Case No. 99 of 2020, registered for the offence punishable under Sections 272, 273 of the Indian Penal Code and Sections 30(a), 30(d), 37(b) of the Bihar Prohibition and Excise Act, 2018.

The allegation is regarding recovery of illicit country made wine kept in various gallons, a gas cylinder, a gas stove fitted with regulator pipe and one small and one big aluminum tasla



from the alleged place of occurrence after raid was conducted by the police force and various accused persons were arrested from the spot including the petitioner herein.

It is the case of the petitioner that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 4.3.2020. It is also the case of the petitioner that no recovery of illicit country made liquor has been made from the possession of the petitioner.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the fact that no recovery of illicit country made liquor has been made from the conscious possession of the petitioner and the petitioner is having a clean antecedent as also he is languishing in custody since 4.3.2020, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Session



Judge-II, Sheikhpura in connection with Sheikhpura P.S. Case
No. 99 of 2020.

(Mohit Kumar Shah, J)

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