

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18170 of 2020

Arising Out of PS. Case No.-29 Year-2020 Thana- BENIPATTI District- Madhubani

MUKESH KUMAR PASWAN S/o Rajkishor Paswan Resident of Village-
Lorika, P.S.- Benipatti, Distt- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Singh

For the Opposite Party/s : Mr. Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-05-2020 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 the learned A.P.P. appearing for the State.

The petitioner seeks regular bail in connection with Benipatti P.S. Case No. 29 of 2020 for the offence punishable under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 448.79 liters of illicit Nepali country made liquor from the petitioner.

It is the submission of the petitioner in the bail petition that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 11.02.2020.

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 in the present petition as also considering the fact that the petitioner is having a clean antecedent and is languishing in custody since 11.02.2020, 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 Additional Sessions Judge-II-cum- Special Judge, Excise Act, Madhubani in connection with Benipatti P.S. Case No. 29 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/- (rupees ten thousand) with two sureties of the like amount each, within a period of four weeks, to the satisfaction of learned Additional Sessions Judge-II-cum- Special Judge, Excise Act, Madhubani in connection with Benipatti P.S. Case No. 29 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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