

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18229 of 2020

Arising Out of PS. Case No.-2 Year-2020 Thana- JAYNAGAR District- Madhubani

BIJAY KUMAR Son of Faguni Mahara Resident of Village - Aaukonha, P.S.-
Deodha, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav, Adv.
For the Opposite Party/s : Mrs. Anita Kumari Singh, APP
Mr.Meena Singh

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 Gagan Deo Yadav, 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 Jaynagar P.S. Case No. 02 of 2020, G.R. No. 11 of 2020 for the offence punishable under Sections 272, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 78 liters of



illicit liquor from the motorcycle of the petitioner.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he is having a clean antecedent and has been falsely implicated in the present case. The learned counsel for the petitioner has referred to paragraph no. 9 of the present petition to contend that the petitioner has got no concern either with the motorcycle or the seized illicit liquor. Lastly, it is submitted that the petitioner is languishing in custody since 03.01.2020.

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 fact that the petitioner is having a clean antecedent and is languishing in custody since 03.01.2020, 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 2nd A.D.J. cum Special Judge (Excise), Madhubani in connection with Jaynagar P.S. Case No. 02 of 2020, G.R. No. 11 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 2nd A.D.J. cum Special Judge (Excise), Madhubani in connection with Jaynagar P.S. Case No. 02 of 2020, G.R. No. 11 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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