

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18206 of 2020

Arising Out of PS. Case No.-666 Year-2019 Thana- PIRBAHOR District- Patna

SANTOSH KUMAR Son of Late Raj Kishore Prasad Resident at Girja Hospital ke Pichhe renter of Mohan jee, Chhoti Bazar, P.S.-Khajekalan, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudra Deo

For the Opposite Party/s : Mrs. Anita Kumari

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 Shri Rudra Deo, the learned counsel appearing for the petitioner and Mrs. Anita Kumari Singh, the learned A.P.P. appearing for the State.

The petitioner seeks regular bail in connection with Special Case No. 11638 of 2019 arising out of Pirbahore P.S. Case No. 666 of 2019 for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation of the prosecution is regarding



recovery of 240 liters of illicit Mahua liquor from a tempo and the petitioner was arrested on the spot.

The learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in the present case. It is further submitted that the petitioner is having a clean antecedent and is languishing in custody since 30.12.2019.

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 30.12.2019, 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 Special Judge, Excise, Patna in connection with Special Case No. 11638 of 2019 arising out of Pirbahore P.S. Case No. 666 of 2019.

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 Special Judge, Excise, Patna in connection with Special Case No. 11638 of 2019 arising out of Pirbahore P.S. Case No. 666 of 2019, 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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