

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19325 of 2020

Arising Out of PS. Case No.-28 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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1. NITESH KUMAR @ NITISH KUMAR S/o Shailendra Singh R/o village-
Ragharpura, Ward No. 07, P.S.- Sursand, District- Sitamarhi
 2. Gauri Kumar S/o Vinod Sharma R/o village- Sirsiya, Ward No. 12, P.S.-
Bathnaha, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Pushpendra Kumar Singh
For the Opposite Party/s :	Mr.Pramod Kumar Pandey
	Mr. Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-06-2020 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 petitioners and the learned APP appearing for the State.

The petitioners seek regular bail in connection with Complaint Case No. G.O./28 of 2020, registered for the offence punishable under Sections 30(A) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 72 liters of illicit Nepali saufi wine from the possession of the petitioners.



The learned counsel for the petitioners has submitted that the petitioners have been falsely implicated in the present case, they are having a clean antecedent and they are languishing in custody since 8.2.2020.

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 submissions made by the learned counsel for the petitioners as also taking into account the fact that the petitioners are having a clean antecedent and they are languishing in custody since 8.2.2020, I deem it fit and proper to direct for release of the petitioners on bail upon him furnishing personal bond to the satisfaction of the learned ADJ II cum Special Judge Excise Act, Sitamarhi in connection with Complaint Case No. G.O./28 of 2020.

It is further directed that once the lock-down is over and normal situation is restored, the petitioners, 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 ADJ II cum Special Judge Excise Act, Sitamarhi in connection with Complaint Case No. G.O./28 of 2020., failing which the present privilege of bail being



extended to the petitioners shall stand revoked automatically.

The present petition stands allowed.

(Mohit Kumar Shah, J)

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