

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18451 of 2020

Arising Out of PS. Case No.-58 Year-2020 Thana- HARNAUT District- Nalanda

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Santosh Kumar, aged about 35 yeasers, Male, Son of Shri Rajendra Singh,
Resident of Village - Sadbhana Nagar, Basti, P.S.- Harnaut, Dist.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Samir Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-05-2020 This case has been posted before me for hearing through video-conferencing, under the orders of Hon'ble the Chief Justice, in view of Nation passing through lockdown as an aftermath of the outbreak of COVID-19 pandemic.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in connection with Harnaut P.S. Case No.58 of 2020 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that there is no recovery from the conscious possession of the petitioner rather 408 litres Nepali of foreign liquor has been recovered from the SUMO GARD/D Car and accordingly, seizure list of liquor, seized money,



seized mobiles and seized Tata Sumo were prepared. Learned counsel for the petitioner further submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner further submits that the petitioner has no criminal antecedent. Learned counsel for the petitioner further submits that the petitioner is in jail custody since 19.02.2020.

Learned A.P.P. for the State opposed the bail petition.

Petitioner is agreed to deposit a sum of Rs. 5,000/- (Rupees Five thousand) in the PM Cares fund, bearing Account No.2121PM20202, IFSC Code: SBIN 0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID : pmcares@sbi.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) only with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-IIIrd-cum-Special Judge (Excise), Nalanda at Bihar Sharif in connection with Harnaut P.S. Case No.58 of 2020, G.R. No.849 of 2020.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.5,000/- (Rupees Five Thousand) in the PM Cares fund.



Since there is a lockdown, the Court has considered it appropriate to adopt the following procedures for communication of the present order:-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be signed by me digitally and transmitted through my e-mail I.D. to Secretary for needful, which shall be treated to be authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order signed by me, shall be preserved in my residential office for documentation and for future use, if any.

(Anjani Kumar Sharan, J)

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