

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18765 of 2020

Arising Out of PS. Case No.-62 Year-2020 Thana- KHAIRA District- Saran

VIVEK KUMAR SINGH Son of Late Ganesh Singh Resident of Village-
Dhobwal Tola Jogirha, P.S.- Khaira, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anjani Parashar

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 13-05-2020 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State, through video
conferencing.

The petitioner seeks regular bail in connection with
Khaira Police Station Case No. 62 of 2020, registered for the
offence punishable under Sections 30/30 (a) of the Bihar
Prohibition and Excise Act, 2016.

The allegation against the petitioner is that the police
party got secret information that a huge quantity of illicit liquor
has been kept near the poultry farm of the petitioner. The police
proceeded towards the poultry farm of the petitioner and upon
seeing the police party, one person tried to flee away, who was
apprehended by the police and he disclosed his name as Vivek
Kumar Singh, the petitioner. The police recovered 108 litres of



illicit liquor from the west side of the poultry farm of the petitioner.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case inasmuch as from perusal of the seizure list, it would be evident that the illicit liquor has been recovered from the west side of the poultry farm of the petitioner and not from the premises of the poultry farm of the petitioner. He further submits that the petitioner is also an accused in Baniyapur Police Station Case No. 136 of 2018, in which he is on bail. He further submits that the petitioner is in custody since 29.02.2020

After having heard learned Counsel for the parties and taking into consideration the fact that the illicit liquor has been recovered from the west side of the poultry farm of the petitioner and not from the premises of the poultry farm of the petitioner and the petitioner is in custody since 29.02.2020, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge (Excise), Saran, at Chapra, in connection



with Khaira Police Station Case No. 62 of 2020.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding lockdown and social distancing.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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