

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19323 of 2020

Arising Out of PS. Case No.-69 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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UMESH KUMAR Son of Late Ram Kripal Mahto Resident of Village -
Madhiya Hanuman Nagar, P.S.- Sonbarsa, Distt - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar
For the Opposite Party/s : Mr.Damodar Prasad Tiwary
Mr. Ashok Kumar, APP

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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 petitioner and the learned APP appearing for the State.

The petitioner seeks regular bail in connection with Complaint Case No. C2/69 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 45 liters of illicit Nepali saufi wine from the petitioner.

The learned counsel for the petitioner has submitted that



the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 28.1.2020.

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 petitioner and taking into account the fact that the petitioner is having a clean antecedent and he is languishing in custody since 28.1.2020, I deem it fit and proper to direct for release of the petitioner on bail upon him furnishing personal bond to the satisfaction of the learned Additional District and Sessions Judge-II-cum-Special Judge, Excise Act, Sitamarhi in connection with Complaint Case No. C2/69 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 Additional District and Sessions Judge-II-cum-Special Judge, Excise Act, Sitamarhi in connection with Complaint Case No. C2/69 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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