

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18760 of 2020

Arising Out of PS. Case No.-15 Year-2020 Thana- TEDHAGACHH District- Kishanganj

Baratu Lal Harijan @ Barato Lal Harizan, Son of Late Baghu Lal Harijan
Resident of Village - Hariharpur (Bhorha), Police Station - Tedhagachh,
District - Kishanganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-05-2020 Heard Mr. Amal Kumar Sinha, learned counsel for

the petitioner and Mr. Nawal Kishore Prasad, learned counsel

appearing for the State, through video conferencing.

The petitioner seeks regular bail in connection with
Special Case No. 77 of 2020, arising out of Tedhagachh P.S.
Case No.15 of 2020, registered for the offence punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner is that when the
police intercepted the bicycle of the petitioner, he fled away and
entered into his house then the police party searched the house
of the petitioner and recovered a total quantity of 33 litres of
Nepali liquors from his house.

Learned counsel for the petitioner submits that the



petitioner has not committed any offence in the manner alleged and he is having no criminal antecedent. Learned counsel further submits that the procedure for search and seizure, as prescribed under Section 100 Cr.P.C. has not been followed by the raiding party. Learned counsel further submits that the petitioner is in custody since 02.03.2020.

Having heard learned counsel for the parties and taking into consideration the fact that petitioner has got no criminal antecedent and he is in custody since 02.03.2020, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II-cum-Special Judge (Excise), Kishanganj, in connection with Special Case No. 77 of 2020, arising out of Tedhagachh P.S. Case No.15 of 2020.

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

sanjeev/-

U		T	
---	--	---	--

(Anil Kumar Sinha, J)

