

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19315 of 2020

Arising Out of PS. Case No.-15 Year-2020 Thana- CHERIYA BARIYARPUR District-
Begusarai

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Deekshant Kunar @ Chhotu, Son of Arun Kumar Singh, Resident of Village -
Mahdashahpur, P.S.- Cheriya Bariarpur, Distt - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 05-06-2020 The matter has been listed today for consideration

through video conferencing in view of the nationwide lockdown

on account of COVID-19 pandemic.

The learned counsels are appearing and making
submissions from their residence. The Court Master and
Secretary are also part of this virtual Court proceedings from
their homes, all with the aid of audio visual technology.

Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with
Cheriabariarpur P.S. Case No.15 of 2020 instituted for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Amendment Act, 2016.



For the alleged recovery of 7.140 litres of English wine and 15 litres of country made *Mahua* wine, the petitioner has been in custody since 16.02.2020.

The submission on behalf of the petitioner is that recovery is from the *Angan* of the joint house of the petitioner. It is a case of false implication and that the seizure was in contravention of the mandatory procedure.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-II Cum Special Judge, Excise Act, Begusarai, in connection with Cheriabariarpur P.S. Case No.15 of 2020, subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.



(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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