

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18839 of 2020

Arising Out of PS. Case No.-141 Year-2019 Thana- SIDHWALIYA District- Gopalganj

Raju Kumar @ Munna, aged about 22 years (Male), S/o Hakim Mahto
Resident of Village- Degh Supauli, P.S.-Sidhwaliya, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harendra Prasad

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 13-05-2020 Heard Mr. Harendra Prasad, learned counsel for the

petitioner and learned counsel appearing for the State through

video conferencing.

The petitioner seeks regular bail in connection with
Sidhwalia P.S. Case No. 141 of 2019 registered for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act, 2018.

The allegation against the petitioner is that the Police
on the basis of secret information raided the old house of
Mukesh Mahto and recovered a total quantity of 172.800 liters
of illicit wine from the said house. It has further been alleged
that upon seeing the police party two persons succeeded in
fleeing away, whose names were disclosed by the co-villagers as
Mukesh Mahto and Raju Kumar (i.e. the petitioner).



Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case inasmuch as from perusal of the first information report it would be evident that illicit liquor has been recovered from the old and dilapidated house of the petitioner, where the petitioner does not reside. Learned counsel further submits that the alleged liquor has been recovered from the joint property of the petitioner and similarly situated co -accused person namely Mukesh Mahto has been granted bail in Cr. Misc. No. 4096 of 2020 by a Co-ordinate Bench of this Court. Learned counsel submits that petitioner is in custody since 29.02.2020 having no criminal antecedent.

Having regard to the submissions made by the parties and taking into consideration the fact that similarly situated co-accused person has been granted bail by a Co-ordinate Bench in Cr. Misc. No. 4096 of 2020 and illicit liquor has been recovered from the old house of the petitioner where he does not reside, 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 2nd Addl. District Judge-cum-



Special Judge, Excise, Gopalganj in connection with Sidhwaliya
P.S. Case No. 141 of 2019.

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

(Anil Kumar Sinha, J)

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