

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.18828 of 2020

Arising Out of PS. Case No.-31 Year-2020 Thana- SANHAULA District- Bhagalpur

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BAMBAM KUMAR S/o Bhagwan Mandal Resident of Keshopur Bathani,
P.S.- Amdanda, Distt- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Shanker Pankaj
For the Opposite Party/s : Mr. Nand Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 15-05-2020 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

Sanhaula Police Station Case No. 31 of 2020, registered for the

offences punishable under Sections 272/273 of the Indian Penal

Code and Section 30 (a) of the Bihar Prohibition and Excise

Act, 2016.

The allegation against the petitioner is that the police

intercepted one motorcycle, which was being driven by the co-

accused and the petitioner was a pillion rider. The police

recovered 4.125 litres of illicit liquor and 15 litres of champion



country spirit from the said motorcycle.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case inasmuch as the police, at the time of search and seizure, did not follow the procedure, as prescribed under Section 100 of the Code of Criminal Procedure, 1973. He further submits that the signatures of the petitioner and the other co-accused were also not taken on the seizure list and a copy of the same was also not given to the petitioner. He further submits that the petitioner has got no criminal antecedent and he is in judicial custody since 29.02.2020.

After having heard learned Counsel for the parties and taking into consideration the fact that the petitioner has got no criminal antecedent and he 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), Bhagalpur, in connection with Sanhaura Police Station Case No. 31 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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