

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19500 of 2020

Arising Out of PS. Case No.-213 Year-2020 Thana- KANKARBAG District- Patna

Pawan Kumar Son of Ram Chandra Saw Resident of Postal Park, Road No. 02, P.S.- Kankarbagh, Dist- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jyoti Ranjan Jha

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-06-2020 The matter has been taken up through virtual Court proceeding.

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

The present application has been preferred on behalf of the petitioner for grant of bail in connection with a case registered for the offences punishable under Sections 30(a)/36 of Bihar Prohibition and Excise Act, 2016, as amended by Act 8 of 2018.

The prosecution case, as per the written report of S.I., Shyamdeo Singh, Kankarbagh P.S. submitted to the Station House Officer, Kankarbagh P.S, is to the effect that on 06.03.2020 during evening patrolling, a confidential information was received that the liquor is being stored by the petitioner,



consequently, a raid was laid and from the house of the petitioner, total 188.05 litres of Indian Made Foreign Liquor were recovered

It is submitted by learned counsel for the petitioner that the recovery has been made from the joint family house and petitioner is accused in two other cases of similar nature in which he is on bail. The petitioner is languishing in custody since 08.03.2020 and investigation has already been concluded.

Learned APP for the State submits that the recovery has been made from the house of the petitioner.

Considering the period under custody and the fact that the investigation has already been concluded, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned Special Judge, Excise, Patna in connection with Special Case No. 2412 of 2020, arising out of Kankarbagh P.S. Case No. 213 of 2020.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond upon furnishing an undertaking by the surety, on photo copy of his Aadhar Card, to the effect that he is ready to become the bailor of the petitioner which may be



transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties, including one surety given at the time of provisional bail, of the like amount each to the satisfaction of the learned Special Judge, Excise, Patna in connection with Special Case No. 2412 of 2020, arising out of Kankarbagh P.S. Case No. 213 of 2020.

The provisional bail of the petitioner will be confirmed after a certificate on affidavit being filed on behalf of the petitioner before the learned Court below to the effect that all the defect/s, as pointed out by the Stamp Reporter, have been removed.

The learned Court below is at liberty to further extend the period of provisional bail if the court proceeding in physical mode will not resume in next three months.

(Dinesh Kumar Singh, J)

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