

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19519 of 2020

Arising Out of PS. Case No.-258 Year-2018 Thana- NOKHA District- Rohtas

Ravindra Singh Son of Late Mukhlal Singh Resident of Village- Chhabilapur,
P.S.- Nokha, District- Rohtas (Sasaram).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

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.

None appears for the petitioner. However, learned counsel for the State is present.

The present application has been preferred on behalf of the petitioner for grant of bail in connection with a case registered for the offence punishable under Section 30(a) 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., Mithilesh Kumar, SHO, Nokha Police Station recorded on 25.09.2018, is to the effect that during evening patrolling, a confidential information was received that the petitioner is indulged in sale of illegal liquor, consequently, a raid was laid and total 83.700 litres of Indian Made Foreign Liquor were



recovered from a vegetable field.

From the pleadings, it appears that the recovery has not been made from conscious physical possession of the petitioner rather the same has been recovered from a vegetable field which is an open area. The petitioner is languishing in custody since 06.02.2020 and investigation has already been concluded. The petitioner is accused in one another case of similar nature.

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

Considering the fact that the recovery has been made from an open area, period under custody and investigation already being 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 2nd Additional District & Sessions Judge -cum- Special Judge, Excise, Rohtas, Sasaram in connection with Nokha P.S. Case No. 258 of 2018.

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 2nd Additional District & Sessions Judge -cum- Special Judge, Excise, Rohtas, Sasaram in connection with Nokha P.S. Case No. 258 of 2018.

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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