

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19573 of 2020

Arising Out of PS. Case No.-71 Year-2020 Thana- DAUDPUR District- Saran

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PRAMOD GUPTA @ PRAMOD KUMAR PRASAD S/o Mohan Lal Gupta
@ Mohan Lal Prasad Resident of Village- Kohra Bazar, P.S.- Daudpur,
District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh
For the Opposite Party/s : Mr.Khurshid Anwar (App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

5 23-09-2020 Heard learned counsel for the parties.

This application for grant of regular bail arises out of Daudpur P.S. Case No.71 of 2020 registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

Allegedly, from the house of the petitioner, the police recovered 150 liters of country made liquor in a raid conducted by them on the basis of secret information.

Learned counsel for the petitioner has submitted that the petitioner has remained in custody for nearly six months and he has been implicated only because the house is known as the house of the petitioner. He contends that the said recovery



cannot be said to have been made from the conscious possession of the petitioner.

Be that as it may, considering the fact that the petitioner is in custody since 31.03.2020 and he does not have any criminal antecedent, this application is allowed.

It is observed that if the petitioner is found involved in future in commission of similar offence, the prosecution shall be obliged to take steps for cancellation of his bail granted by virtue of the present order.

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 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran at Chapra in connection with Daudpur P.S. Case No. 71 of 2020.

(Chakradhari Sharan Singh, J)

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