

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr. Misc. No. 19632 of 2020

Manik Chand Kumar, son of Swarth Ray, Resident of Village-Bariyarpur,
P.S.-Bakhtiyarpur, Distt.-Patna.

... .. Petitioner

Versus

The State of Bihar

.. ... Opposite Party

Appearance :

For the Petitioner : Mr. Jyoti Ranjan Jha, Advocate

For the Respondent State: Mr. Naval Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 19-08-2020 Heard Mr. Jyoti Ranjan Jha, learned counsel

appearing on behalf of the petitioner and Mr. Naval Kishore
Prasad, learned Additional Public Prosecutor, for the State of
Bihar.

This application for grant of regular bail arises out of
Rail Kiul P.S. Case No. 25 of 2020, registered for the offence
punishable under Sections 30(a) of Bihar Prohibition Act.

Allegedly, from the petitioner's possession, huge
quantity of illicit liquor was recovered by the police, which was
kept in the toilet of one of the bogies of a train. On seeing the
police, the petitioner and his accomplice attempted to flee away.
Both of them were, however, apprehended. They are said to
have disclosed to the police that they were engaged in the
business of selling illicit liquor at Barh after purchasing it from



Jasidih, which falls in the State of Jharkhand.

It has been stated in paragraph 3 of the application that the petitioner is also an accused in Athmalgola P.S. Case No. 141 of 2019, which has also been registered for commission of offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, in which the petitioner is on bail.

It is thus apparent that the petitioner has been made accused in the present case while on bail in another case involving same offence.

Considering the aforesaid circumstance, I am not inclined to grant the petitioner privilege of bail for the present. The petitioner shall, however, be at liberty to renew his prayer for bail after six months, if, in the meanwhile, the charges are not framed.

This application is rejected.

It is indicated that defect, if any, shall be removed within two months.

Since there is a lock down, the Court has considered it appropriate to adopt following procedure for communication of the present order :-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.



(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential-office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned Court below through e-mail or any other appropriate electronic mode by the Registry.

Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social distancing.

(Chakradhari Sharan Singh, J)

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