

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.20599 of 2020**

Arising Out of PS. Case No.-31 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

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DIPAN RAY @ DEEPAN RAY, Son of Late Chandradeep Ray, Resident of
Village - Terasiya, Ward no. 1, P.S.- Gangabridge, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajit Kumar, Adv.

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 25-06-2020 Learned counsel for the petitioner undertakes to

remove the defects, if any, within three weeks from the date of

start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner in the present case is seeking regular

bail in connection with Complaint Case i.e. C2A Case No.31 of

2020 registered for the offence punishable under Section 37(a)

of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the

petitioner is innocent and has falsely been implicated in this

case. Learned counsel submits that nothing incriminating has

been recovered either from the conscious possession or from



residential house of the petitioner. The petitioner has no criminal antecedent and he is in custody since 16.02.2020.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is submitted that the alleged recovery is from a place near the house of the petitioner, but not from the house or from conscious possession of the petitioner and further that the petitioner who has no criminal antecedent has remained in jail since 16.02.2020 and there being no submission on behalf of the State that his release at this stage is in any way likely to adversely affect the course of trial, let the petitioner above named be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-cum-Excise Court, Vaishali at Hajipur in connection with Complaint Case i.e. C2A Case No.31 of 2020, subject to the conditions as laid down under Section 437(3) of the Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence



similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic during the lockdown period. The authorities concerned shall take appropriate steps to ensure such observance prior to and after release of the petitioner.

The application is allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

