

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.19657 of 2020**

Arising Out of PS. Case No.-21 Year-2020 Thana- MURAR District- Buxar

1. DEEPAK KUMAR Son of Late Channu Yadav Resident of Village-Chaugain, (Khapraila Mohala), P.S.- Murar, District- Buxar.
2. Om Prakash Yadav Son of Late Channu Yadav Resident of Village-Chaugain, (Khapraila Mohala), P.S.- Murar, District- Buxar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Suraj Deo Singh,Advocate

For the Opposite Party/s : Mr. Anand Kishore Chaudhary,APP

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

3 29-06-2020 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners in the present case are seeking regular bail in connection with Murar P.S. Case No. 21 of 2020 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act 2018.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is submitted that the illicit liquor has not been recovered from the conscious possession of the petitioners and they have no criminal antecedent.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioners.



Having regard to the facts and circumstances of the case, wherein these petitioners are in custody since 11.03.2020 and have got no criminal antecedent as also it is the submission of the petitioners that they are full brothers and they have no connection with the seized liquor which has been allegedly seized from a *Dalan* which is an open place where anyone can plant wine, let the petitioners above named be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge-II-cum-Special Judge (Excise), Buxar in connection with Murar P.S. Case No. 21 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, or 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.

This application is allowed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/Arvind

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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'.

