

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19751 of 2020

Arising Out of PS. Case No.-112 Year-2020 Thana- PURNEA SADAR District- Purnia

AMIT KUMAR JAISWAL @ AMIT KUMAR, aged about 25 years, Male,
Son of Dilip Jaiswal, Resident of Village - Majhua West, Ward No.9,
Sharnarhi Tola, P.S.- Raniganj, Distt.- Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Nafisuzzoha, Advocate.

For the Opposite Party : Mr.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-06-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 272, 273 of the IPC and 30(a) of the
Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 180 liters
wine is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner is languishing in custody since



09.03.2020. The petitioner has got no criminal antecedent. Charge sheet/prosecution report has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. It is alleged that total 180 liters wine is recovered from the Scorpio vehicle. Except for this, there is no recovery of any incriminating article from conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/ Complaint Case.

Considering the facts and circumstances of the case and also the lockdown, let the petitioner above named, be released on bail on his personal bond to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge, (Excise), Purnea in connection with Special Excise Case No. 136 of 2020, arising out of Purnea Sadar P.S. Case No. 112 of 2020.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each within a period of four



weeks to the satisfaction of the court concerned in connection with the aforesaid case.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks from the date of lifting of the lockdown in the State of Bihar.

(Sudhir Singh, J)

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