

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.21255 of 2020**

Arising Out of PS. Case No.-427 Year-2019 Thana- BAHADURPUR District- Darbhanga

MD BARE Son of Md. Abbas Resident of Village - Khajasarai, P.S.-
Laheriasarai, Distt.- Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Virendra Kumar,Advocate

For the Opposite Party/s : Mr. Chandrabhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 30-06-2020 Learned counsel for the petitioner undertakes to
remove all the defects pointed out by office within three weeks
after 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 Bahadurpur P.S. Case No. 427 of 2019
registered for the offences punishable under Sections 30(a),
41(1) of Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. It is stated that the illicit liquor has not been
recovered from the conscious possession of the petitioner.

Learned APP for the State is present and 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 6.375 liters illicit liquor has been allegedly recovered from the petitioner, petitioner has remained in custody since 03.02.2020, investigation against him is complete, the trial is not likely to be concluded and there is no submission on behalf of the State that the release of the petitioner at this stage is likely to adversely affect the 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 A.D.J. II Cum Special Judge, Excise Act, Darbhanga in connection with Bahadurpur P.S. Case No. 427 of 2019, 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)

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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'.

