

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19908 of 2020

Arising Out of PS. Case No.-61 Year-2020 Thana- BOCHAHAN District- Muzaffarpur

PRAKASH KUMAR, aged about 20 years, Male, Son of Late Suraj Paswan,
@ Suraj Kumar, Resident of Village- Chintamanipur, Police Station- Vaishali,
District- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sachin Kumar, Advocate.
For the Opposite Party : Mr.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-06-2020 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.

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.

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

The petitioner seeks bail in a case for the offences
registered under Sections 272, 273 of the IPC, 30(a) and 32(ii)
of the Bihar Prohibition and Excise Act, 2016.



The prosecution case, in short, is that total 3513 liters beer and wine is said to have been recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 27.02.2020 and has got no criminal antecedent. Charge sheet/prosecution report has been submitted in this case. There is no allegation of tampering with the witnesses alleged against the petitioner. It is alleged that total 3513 liters beer and wine is recovered from the Truck in question. The petitioner is alleged to be the Cleaner of the Truck in question. The petitioner had no knowledge regarding the nature of goods booked by the Transporter. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. Nothing incriminating article has been recovered from conscious possession of the petitioner. There is no compliance of Section 100 of Cr. P.C.

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

Considering the facts and circumstances of the case and also the lockdown, the petitioner, above named, is directed to be released on bail on his personal bond to the satisfaction of learned Special Judge, Excise, Muzaffarpur, in connection with Bochahan P.S. Case No. 61 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.

(Sudhir Singh, J)

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