

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20012 of 2020

Arising Out of PS. Case No.-527 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Darbhanga

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Raju Singh Son of Late Sri Sukho Singh @ Late Sukho Singh Resident of
Village - Taralahi, P.S.- Bahadurpur, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra

For the Opposite Party/s : Mr.A.G

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-06-2020 The matter has been taken up through virtual Court
proceeding.

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

Since the physical court proceeding is non-functional
the matter is listed with defects.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks of resumption of physical
court proceeding. In the eventuality of non-removal of defects
the office will place the matter before the bench.

The petitioner is languishing in custody since
28.05.2020 in a case registered for the offences punishable



under Sections 30(a) of Bihar Prohibition and Excise Act, 2016 as amended by Act 8 of 2018, hence, the prayer for bail has been made through the present application.

The prosecution case, as per the prosecution report submitted by Aftab Alam, A.S.I., Excise, is to the effect that he received a confidential information that one person is manufacturing country made liquor, consequently, a raid was laid and from the fodder house of the petitioner, total 209.160 litres of Indian Made Foreign Liquor were recovered.

It is submitted by learned counsel for the petitioner that the recovery has been made from an open area from joint family fodder house and investigation has already been concluded. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that the recovery has been made from the fodder house of the petitioner.

Considering the fact that the recovery has been made from joint family fodder house of the petitioner which is an open area, the investigation has already been concluded and statement being made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the



petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned IInd Additional Sessions Judge -cum- Special Judge, Excise Act, Darbhanga in connection with G.O. Case No. 527 of 2020, arising out of P.R. No. 05 of 2020.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond upon furnishing an undertaking by the surety, on photo copy of his Aadhar Card, to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties, including one surety given at the time of provisional bail, of the like amount each to the satisfaction of the learned IInd Additional Sessions Judge -cum- Special Judge, Excise Act, Darbhanga in connection with G.O. Case No. 527 of 2020, arising out of P.R. No. 05 of 2020.

The learned Court below is at liberty to further extend the period of provisional bail if the court proceeding in



physical mode will not resume in next three months.

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

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