

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.23181 of 2020**

Arising Out of PS. Case No.-639 Year-2019 Thana- SARAIYA District- Muzaffarpur

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ARJUN KUMAR @ AJURN KUMAR @ ARJUN RAI Son of Rajdev Rai @
Ramdev Rai Resident of Village- Sandha Damber Motipur, P.S.- Motipur,
Distt- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur, Adv.

For the Opposite Party/s : Ms.Anita Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-09-2020 Learned counsel for the petitioner undertakes to

remove the defects, if any, within four weeks from the date of

start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner in the present case is seeking regular bail in

connection with Saraiya P.S. Case No.639 of 2019 registered for

the offence under Sections 272 and 273 of the Indian Penal

Code and Section 30(a) of the Bihar Prohibition and Excise Act,

2016.

Earlier the prayer for regular bail of the petitioner was

rejected vide order dated 11.12.2019 passed in Cr.Misc.

No.76581/2019 with an observation that he may renew his



prayer for bail after a reasonable period. This petitioner is in custody since 23.09.2019 and has otherwise no criminal antecedent.

Learned APP for the State has though opposed the prayer for regular bail of the petitioner, but considering the submissions of learned counsel for the petitioner that the petitioner has now remained in custody for almost one year and he has no criminal antecedent as also that the trial is not likely to be concluded in near future, let the petitioner abovenamed be released on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Saraiya P.S. Case No.639 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.

(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'.

