

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.20277 of 2020**

Arising Out of PS. Case No.-135 Year-2020 Thana- AHIYAPUR District- Muzaffarpur

PRAVEEN KUMAR, Son of Bangali Sah, Resident of Village - Shekhpur
Dhab, P.S. - Ahiyapur, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar, Adv.

For the Opposite Party/s : Mr.Ram Naresh Ray, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 25-06-2020 Learned counsel for the petitioner undertakes to remove the defects, if any, within three weeks from the date of 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 Ahiyapur P.S. Case No.135 of 2020 registered for the offence punishable under Sections 30(a), 36 of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned counsel submits that nothing incriminating has been recovered either from the conscious



possession or from residential house of the petitioner. The petitioner has no criminal antecedent and he is in custody since 06.02.2020.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case that the petitioner has no criminal antecedent and in connection with this case he has remained in custody for more than four months, investigation against him is complete and there is no submission on behalf of the State that his release at this stage is in any way likely to adversely affect the course of 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, Muzaffarpur in connection with Ahiyapur P.S. Case No.135 of 2020, 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, of 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.

The 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'.

