

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22035 of 2020

Indrajit Kumar, age about 20 years (M), Son of Shivji Rai, Resident of
Village – Khutaha Ward No. 10, P.S. Sonbarsa, District Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Thakur, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 21-07-2020

The matter has been heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. Heard Mr. Mahendra Thakur, learned counsel for the petitioner and Mr. Bhanu Pratap Singh, learned Additional Public Prosecutor (hereinafter referred to as the ‘APP’) for the State.

3. The petitioner is in custody in connection with C2/146 of 2020 dated 26.02.2020, instituted under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

4. The allegation against the petitioner is that he was caught with 63 litres of Nepali *sofi* wine.

5. Learned counsel for the petitioner submitted that he



has been falsely implicated and there was no recovery from the possession of the petitioner. It was further submitted that the seizure has also not been made in accordance with law. Learned counsel submitted that the petitioner having no other criminal antecedent is in custody since 26.02.2020.

6. Learned APP submitted that the petitioner was carrying 63 litres of illicit Nepali liquor which has been seized.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-II-cum-Special Judge, Excise Act, Sitamarhi in C2/146 of 2020, subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that the petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity, tamper with the evidence or influence the witnesses. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present



before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

8. The application stands disposed off in the
aforementioned terms.

(Ahsanuddin Amanullah, J)

Anjani/-

AFR/NAFR	
U	
T	

