

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21798 of 2020

Arising Out of PS. Case No.-402 Year-2019 Thana- KUCHAIKOTE District- Gopalganj

RAJBIR SINGH Son of Ramswaroop Singh Resident of Village - Wata
Laudimal Pati, P.S.- Kaithal, District - Kaithal (Haryana).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arbind Kumar Singh

For the Opposite Party/s : Mr.Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-07-2020 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
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 30(a), 32(2), 36 and 41(1) of the Bihar
Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 2845.8 liters wine is



recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 25.11.2019 and has got no criminal antecedent. Charge-sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. It is alleged that 2845.8 liters wine is recovered from the truck in question. The petitioner is alleged to be driver of the truck in question. He had no knowledge regarding the nature of goods booked by the transporter. There is no compliance of Section 100 Cr.P.C.

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

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 Additional Sessions Judge -II-cum- Special Judge, Excise Act, Gopalganj in connection with Kuchaikote P.S. Case No. 402 of 2019.

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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