

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21197 of 2020

Arising Out of PS. Case No.-201 Year-2020 Thana- ARARIA District- Araria

DEEPAK SAH Son of Late Durga Sah Resident of Village - Chakia, P.S.-
Chakia, Distt.- Motihari (East Champaran).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Nityanand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-06-2020 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 Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

Prosecution case, in short, is that 373 liters wine is



recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 9.3.2020 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 373 liters wine is recovered from two cars in question. The vehicles in question do not belong to the petitioner. The petitioner had no knowledge regarding the nature of goods kept in the vehicle. 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.

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 2nd Additional Sessions Judge-cum-Special Judge, Excise, Araria in connection with Araria P.S. Case No. 201 of 2020.

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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