

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25836 of 2020

Arising Out of PS. Case No.-203 Year-2019 Thana- PATEPUR District- Vaishali

SURENDRA RAM Son of Bultan Ram @ Bulatan Ram Resident of Village-
Murtajapur Dumari @ Murtajapur Dumra, P.S.- Patepur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Mukesh Kumar
	:	Mr.Shivjee Singh
For the Opposite Party/s	:	Mr.Amitesh Kumar (APP)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 14-10-2020 Heard Mr. Mukesh Kumar, learned counsel for the petitioner and Mr. Amitesh Kumar, learned Additional Public Prosecutor appearing for the State of Bihar.

This application for grant of regular bail arises out of Patepur P.S. Case No. 203 of 2019 registered for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

It is the prosecution's case that on secret information, that the petitioner had stacked huge quantity of illicit liquor in his cattle shed and was selling the same from the said place, a raid was conducted. On seeing the police, the petitioner managed to escape. From his cattle shed, however, 623.160 liters of Indian made foreign liquor was recovered.



Learned counsel appearing on behalf of the petitioner has submitted that alleged recovery of illicit liquor from the cattle shed, cannot be said to be recovery made from the petitioner's conscious possession. The petitioner was not present at the place of seizure, whose name surfaced on the basis of disclosure made by others.

Considering the specific allegation in the F.I.R. that the petitioner was involved in selling of illicit liquor and from the place, in his occupation, huge quantity of illicit liquor was recovered, I am not inclined to grant the petitioner, privilege of regular bail for the present. I have noticed the fact that the petitioner has criminal antecedent, as mentioned in the paragraph 3 of this application.

This application is accordingly rejected.

It is indicated that defect, if any, shall be removed within two months.

Since COVID-19 Pandemic situation is prevailing, the Court has considered it appropriate to adopt following procedure for communication of the present order:-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.



(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned court below through e-mail or any other appropriate electronic mode by the Registry.

Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social-distancing.

(Chakradhari Sharan Singh, J)

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