

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21037 of 2020

Arising Out of PS. Case No.-203 Year-2020 Thana- SONEPUR District- Saran

RAJESH KUMAR @ RAJA KUMAR Son of Krishna Rai R/O Vill -
Sabalpur, P.S.- Sonapur, Dist.- Saran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Piyush Kant Singh, Advocate
For the Opposite Party/s : Smt. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 29-06-2020

As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the learned Counsel for the State.

Petitioner seeks bail in Sonapur PS Case No. 203 of 2020 registered under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

91.5 litres illicit liquor is alleged to have been recovered from a shop. The allegation is that the petitioner was selling the liquor from the shop.

Counsel for the petitioner submits that from the FIR itself it is apparent that the petitioner was arrested at a distance from the shop. There is a false allegation that he had been chased and arrested. Admittedly he was not present at the shop at the time of recovery. He has no concern with the shop in question and was a bonafide customer. He is in custody since 8.3.2020 having no criminal



antecedent.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of 2nd Additional Sessions Judge -cum- Special Judge, Excise Act, Saran in Sonapur. PS Case No. 203 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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