

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21700 of 2020

Arising Out of PS. Case No.-124 Year-2019 Thana- SINGHWARA District- Darbhanga

NAVEEN KUNWAR @ NAVIN KUMAR Son of Late Uday Chandra Kumar
Resident of Village - Katka, P.S. - Singhwara, District - Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bauye Jee Jha (B.J. Jha)

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-07-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID-19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Shri Mukesh Kumar Singh, learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Singhwara P.S. Case No. 124 of 2019 (G.O. Case No. 799 of 2019) for the offence punishable under Section 30(a) of the Bihar Excise Prohibition Act.

The allegation is regarding recovery of 499.680 litres of illicit liquor from the hay house of the petitioner.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and is languishing in custody since 26.11.2019. It



is further submitted that since the petitioner is not having a good antecedent, he has been falsely implicated in the present case with oblique motives. It is also submitted by referring to paragraph nos. 6 & 7 of the present petition that the hay house (bhusa ghar) is situated on the bank of a pond which is a public place and is at a distance of about 800 metres from the residential house of the petitioner, hence the possibility of plantation of the illicit liquor by some other person cannot be ruled out.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the period of incarceration of the petitioner as also considering the fact that the hay house of the petitioner is situated near the pond at a public place, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Session Judge-cum-Special



Judge (Excise), Darbhanga in connection with G.O. Case No.
799 of 2019 arising out of Singhwara P.S. Case No. 124 of
2019.

(Mohit Kumar Shah, J)

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