

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26078 of 2020

Arising Out of PS. Case No.-361 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

SONU KUMAR Son of Sri Krishna Ray @ Krishna Ray Resident of Village -
Ward No-9 Litiyahi Diyar, P.S.- Ganga Bridge (Raghopur), District - Vaishali.
... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 13-10-2020 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 defect(s), 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 registered under
Sections 30(a), 32(1), 32(3), 41(1) & 41(2) of the Bihar
Prohibition and Excise Amendment Act.

The prosecution case, in short, is that 85.140 liters
wine is recovered from Tata Indica Car.



It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge sheet/Prosecution report in this case has already been submitted. The petitioner is in custody since 04-03-2020. It is alleged that 85.140 liters wine is recovered from Tata Indica Car. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. 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 aforesaid facts and circumstances of the case, let the petitioner, above named, 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 Special Judge, Excise, Patna in connection with Special Case No. 2230 of 2020 arising out of Alamganj P.R. Case No. 361 of 2020.

(Sudhir Singh, J)

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