

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22304 of 2020

Arising Out of PS. Case No.-64 Year-2020 Thana- VAISHALI District- Vaishali

MITHU SINGH @ MITHU KUMAR SINGH Son of Ramnath Singh
Resident of Village - Fatehpur, P.S.- Vaishali, Distt.- Vaishali.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Anish Kumar, Advocate

Mr. Sunil Kumar, Advocate

For the Opposite Party : Mr. Umesh Lal Verma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 13-11-2020 Heard Mr. Sunil Kumar, learned counsel appearing on behalf of the petitioner and Mr. Umesh Lal Verma, learned Additional Public Prosecutor, for the State of Bihar.

This application for grant of regular bail arises out of Vaishali P. S. Case No. 64 of 2020, registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2018.

The petitioner is in custody since 20.03.2020. Allegedly, during the course of raid conducted by the police, 448.50 liters of illicit liquor was recovered from the petitioner's house.

Learned counsel appearing on behalf of the petitioner has submitted that he has clean antecedent and the police upon completion of investigation has submitted charge-



sheet. He has further submitted that there is no chance of petitioner tampering with the evidence or fleeing from the course of trial, if allowed regular bail.

Considering the period of custody and the fact that the charge-sheet has been submitted, this application is allowed.

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 the learned Additional District and Sessions Judge 2nd-cum-Special Judge, Excise Court, Vaishali at Hajipur, in Vaishali P. S. Case No. 64 of 2020.

It is, however, observed that in case the petitioner is found involved in similar offence, in future, while on bail in this case, the prosecution shall be at liberty to approach this Court for cancellation of bail.

It is directed that the defect(s) in the application, pointed out by the Registry, must 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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