

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21896 of 2020

Arising Out of PS. Case No.-194 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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1. DILIP PASWAN Son of Late Ramshreth Paswan Resident of Village - Bokatha Ward no - 5, P.S.- Mejorganj, District - Sitamarhi
 2. Mithun Paswan Son of Late Kanchan Paswan Resident of Village - Bokatha Ward no - 5, P.S.- Mejorganj, District - Sitamarhi
 3. Shyam Babu Thakur Son of Ramsogarath Thakur Resident of Village - Bokatha Ward no - 5, P.S.- Mejorganj, District - Sitamarhi
 4. Bhagwan Rai Son of Late Satya Narayan Rai Resident of Village - Ratanpur Ward no - 11, P.S.- Mejorganj, District - Sitamarhi
 5. Bhutta Sah Son of Ramchandra Sah Resident of Village - Ratanpur Ward no - 11, P.S.- Mejorganj, District - Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-07-2020 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.

At the outset, the learned counsel for the petitioner undertakes to remove all the defects, as pointed out by the stamp reporter, within a period of four weeks of resumption of normal physical functioning of the Court including resumption of physical filing.



Heard the learned counsel for the petitioners and Shri Nitya Nand Tiwari, the learned A.P.P. appearing for the State.

The petitioners seek regular bail in connection with Case No. C2- 194/2020 for the offence punishable under section 30(A) of Bihar Prohibition & Excise Act, 2016.

The allegation is regarding recovery of 518.520 litres of illicit Nepali saufi liquor from the accused persons including the petitioners herein.

The learned counsel for the petitioners submits that the petitioners are innocent, they have been falsely implicated in the present case and are languishing in custody since 14.03.2020. It is further submitted that except petitioner no.4, all the petitioners are having clean antecedent and as far as the petitioner no.4 is concerned, he is an accused in only one other case.

The learned Additional Public Prosecutor has vehemently opposed the prayer for regular bail.

Having regard to the facts and circumstances of the case, considering the submissions advanced by the learned counsel for the petitioners and taking into account the period of incarceration of the petitioners, I deem it fit and proper to direct



for the release of the petitioners on regular bail.

Accordingly, the petitioners, above-named, are directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned A.D.J. 2nd cum Special Judge, Excise Act, Sitamarhi in connection with Dumra Case No. C2-194 of 2020.

(Mohit Kumar Shah, J)

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