

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21273 of 2020

Arising Out of PS. Case No.-41 Year-2020 Thana- DINARA District- Rohtas

Rajesh Kumar @ A.T.M, aged about 29 Years, Male, Son of Gajendra Singh,
Resident of village – Sorathi, Police Station – Dinara, District – Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 30-06-2020 Heard Mr. Raghunandan Kumar Singh, learned
counsel for the petitioner and Mr. Mritunjay Kumar Nirala,
learned Additional Public Prosecutor appearing for the State
through video conferencing.

Learned counsel for the petitioner is directed to
remove the defects within eight weeks.

Petitioner seeks regular bail in connection with Dinara
P.S. Case No. 41 of 2020 registered for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

The allegation against the petitioner is that Police on
the basis of secret information raided the house of co-accused
Guddu Rai and recovered a total quantity of 145 Liters 500 ML
of illicit liquor from the said house. It has further been alleged



that petitioner along with others were found at the place of occurrence and upon seeing the police party, they tried to flee away, but were arrested.

Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged. Learned counsel further submits that from perusal of the seizure list it would be evident that illicit liquor has been recovered from the house of Guddu Rai and no illicit liquor has been recovered from the conscious possession of the petitioner. Learned counsel further submits that two cases of Excise Act were earlier lodged against the petitioner out of which in Dinara P.S. Case No. 344 of 2019 he has been granted bail by the learned court below and in another case being Dinara P.S. Case No. 166 of 2018 the petitioner has been remanded and he is in custody at present.

Having regard to the submissions made by the parties and taking into consideration the fact that illicit liquor has been recovered from the house of Guddu Rai, not from the possession of this petitioner and the petitioner is in custody since 14.02.2020, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be



released on regular bail if he is not required in any other case on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge – IIInd -cum -Special Judge, Excise Rohtas at Sasaram in connection with Dinara P.S. Case No. 41 of 2020.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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