

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21373 of 2020**

Arising Out of PS. Case No.-37 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

=====

KRISHNA MURARI Son of Late Rajendra Prasad Resident of Village -
Gangra, P.O.- Namdarganj, P.S.- Akbarpur, Distt.- Nawada.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Apurva Kumar

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

=====

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

5 17-09-2020 Heard learned counsel for the parties.

This application for regular bail arises out of G.O.
Case No. 37 of 2020, disclosing offence punishable under
Sections 30(a) and 37(b) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

Allegedly, 140 litres of illicit liquor was seized from
beneath the earth adjacent to a *pyne* (water body). The petitioner
was found present at the said place and was found to have
consumed alcohol on Breath Analyzer Test.

Learned counsel appearing on behalf of the petitioner
has submitted that the place from where the recovery of liquor
has been made, apparently, does not belong to the petitioner. He
is in custody since 11.02.2020. It has been stated in paragraph 3



of the application that the petitioner does not have any criminal antecedent.

Considering the above submission and the fact that petitioner is in custody since 11.02.2020, this application is allowed.

Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned Additional Sessions Judge-II cum Special Judge, Nawada, in G.O. Case No. 37 of 2020.

It is directed that defects in the application pointed out by the Registry must be removed within two months from today.

Since there is a lockdown, 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)

Rajesh/-

U		T	
---	--	---	--

