

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21330 of 2020

Arising Out of PS. Case No.-362 Year-2019 Thana- PIPRAKOTHI District- East Champaran

BHOLA RAI Son of Sarangi Rai Resident of Village - Sirsiya, P.S.-
Piprakothi, Distt.- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-07-2020

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.

Heard the learned counsel for the petitioner the learned APP for the State.

The petitioner seeks regular bail in connection with Piprakothi PS case no. 362 of 2019 instituted for the offences punishable under Sections 414 of Indian Penal Code and 30(a) of Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 15 liters of Spirit from a tempo and 200 liters of Spirit from a drum kept near the tempo. It has been alleged that the petitioner and other accused persons were engaging in selling of illicit spirit and illicit liquor.



The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 25.01.2020. It is further submitted that no recovery of illicit spirit has been made from the conscious possession of the petitioner, hence the petitioner is having no complicity in the matter.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the period of incarceration of the petitioner as also the fact that he is having a clean antecedent and moreover, no recovery of illicit spirit has been made from the conscious possession of the petitioner, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned 9th Additional Sessions Judge-cum-Special Judge, Excise, Motihari, East Champaran in connection with Piprakothi PS case no. 362 of 2019.

(Mohit Kumar Shah, J)

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