

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.21375 of 2020**

Arising Out of PS. Case No.-345 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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BHUSHAN RAY Son of Late Jugal Ray R/O - Malikpur Ward No. - 02, P.S. -
Raghopur, Distt. - Vaishali.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Nityanand Kumar, Advocate
For the Opposite Party/s : Mr. Vinod Shankar Modi, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 01-07-2020 Learned counsel for the petitioner undertakes to

remove the defects, as pointed out by office, within three weeks

after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner, in the present case, is seeking regular bail

in connection with (Gov. Official) P.R. Case No. 345/2020 (Spl.

Case No. 2865/2020) registered under Section 30(a) of Bihar

Prohibition and Excise Act.

Learned counsel for the petitioner submits that the

illicit liquor was recovered from a Tampo, nothing has been

recovered from the conscious possession of this petitioner.

Learned counsel submits that petitioner is in custody since

20.03.2020 having no criminal antecedent.



Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein the petitioner has no criminal antecedent, he has remained in custody since 20.03.2020 and it is one of the submissions of learned counsel for the petitioner that the petitioner has no concern with the Tempo from which the illicit liquor has been recovered, investigation against him is complete, charge-sheet has been filed and there being no chance of conclusion of trial in near future, let the petitioner be released on bail on furnishing bail bonds of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Patna in connection with (Gov. Official) P.R. Case No. 345/2020 (Spl. Case No. 2865/2020) subject to the conditions as laid down under Section 437(3) of the Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, or the commission of which he is suspected, and

(c) that such person shall not, directly or indirectly,



make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic during the lockdown period. The authorities concerned shall take appropriate steps to ensure such observance prior to and after release of the petitioner.

This application is allowed.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

