

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr. Misc. No. 21296 of 2020

Sanjeev Kumar @ Nunulal @ Nunu Babu Singh, S/o Late Dasrath Singh, R/o Vill-Chakballi, P.S.-Barauni (Refinary O.P.), Dist.-Begusarai.

... .. Petitioner

Versus

The State of Bihar

.. ... Opposite Party

Appearance :

For the Petitioner : Mr. Shubesh Pandey, Advocate

For the Respondent State: Mr. Sanjay Kumar Tiwari, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 20-08-2020 Heard Mr. Shubesh Pandey, learned counsel appearing on behalf of the petitioner and Mr. Sanjay Kumar Tiwari, learned Additional Public Prosecutor, for the State of Bihar.

This application for grant of regular bail arises out of Barauni (Refinary O.P.) P.S. Case No. 93 of 2020, registered for the offence punishable under Sections 30(a), 37(b) and 37(c) of the Bihar Prohibition and Excise Act.

The police are said to have recovered 72 liters 75 ml of Indian Made Foreign Liquor from near the petitioner's house.

Learned counsel appearing on behalf of the petitioner has submitted that it cannot be said, on the basis of what has been alleged in the F.I.R., that recovery of illicit liquor is from conscious possession of the petitioner. The petitioner was



arrested as he was seen fleeing from the place on seeing the police. Petitioner is in custody since 07.03.2020.

Considering the nature of allegation in the F.I.R. and above mentioned submission on behalf of the petitioner, this application is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Begusarai, in Barauni (Refinery O.P.) P.S. Case No. 93 of 2020.

It is directed that the defect(s) in the application, pointed out by the Registry, must be removed within two months.

Since there is a lock down, 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)

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