

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21409 of 2020

Arising Out of PS. Case No.-59 Year-2020 Thana- CHAUSA District- Madhepura

1. RISHU SINGH Son of Lalit Singh R/O - Bhatkhora (Jitapur), P.S.- Murliganj, District - Madhepura.
2. Aman Son of Shambhu Singh R/O Village - Bhatkhora (Jitapur), P.S.- Murliganj, District - Madhepura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Mrityunjay Kumar
For the State	:	Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-07-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders” under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks from the date of lifting of the lockdown in the State of Bihar.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in a case registered under Sections 272, 273, 420, 120-B of the Indian Penal Code and



30(a) of the Bihar Prohibition and Excise Act, 2018.

The prosecution case, in short, is that 290 liters wine is recovered.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. Charge sheet/Prosecution report in this case has already been submitted. The petitioners are in custody since 06-03-2020. It is alleged that 290 liters wine is recovered from Pick up Van in question. The petitioners are said to be driver and cleaner of the vehicle in question. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. Nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, let the petitioners, above named, be released on bail on their personal bond to the satisfaction of learned Special Judge, Excise Act, Madhepura in connection



with Chausa P.S. Case No. 59 of 2020 corresponding to Excise Act Case No. 199 of 2020.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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