

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21941 of 2020**

Arising Out of PS. Case No.-814 Year-2019 Thana- TURKAULIYA District- East
Champaran

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SURESH RAI @ SURESH YADAV Son of Jhagru Rai Resident of Village -
Brahmpuri, P.S. - Banjariya, District- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Mr.A.G

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 10-07-2020

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, requiring social distancing.

At the outset, the learned counsel for the petitioner undertakes to remove all the defects, as pointed out by the stamp reporter, within a period of four weeks of resumption of normal physical functioning of the Court including resumption of physical filing.

Heard the learned counsel for the petitioner and Mr. Mukeshwar Dayal, the learned A.P.P. appearing for the State.

The petitioner seeks regular bail in connection with Turkauliya (Banjariya) P.S. Case No. 814 of 2019 for the



offence punishable under Sections 272, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 1348.155 litres of illicit liquor from the hut of the petitioner.

The learned counsel for the petitioner submits that the petitioner is innocent, he has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 04.03.2020. The learned counsel for the petitioner has referred to paragraph-12 of the present petition to state that the petitioner has got no concern either with the alleged illicit liquor or the hut.

The learned Additional Public Prosecutor has vehemently opposed the prayer for regular bail.

Having regard to the facts and circumstances of the case, considering the submissions advanced by the learned counsel for the petitioner and taking into account the period of incarceration of the petitioner, apart from the fact that he is having a clean antecedent, I deem it fit and proper to direct for the release of the petitioner on regular bail.

Accordingly, the petitioner, above-named, is directed to be released on regular bail on furnishing bail-bonds of Rs.



10,000/- with two sureties of the like amount each to the satisfaction of learned 7th Additional Sessions Judge cum Special Judge, Excise Act, East Champaran, Motihari in connection with Turkauliya (Banjariya) P.S. Case No. 814 of 2019.

(Mohit Kumar Shah, J)

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