

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26358 of 2020

Arising Out of PS. Case No.-52 Year-2020 Thana- HASPURA District- Aurangabad

RAJU KUMAR S/o Ganesh Prasad Resident of Village-Narsan, P.S.-Haspura,
District-Aurangabad (Bihar). Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Pd. Singh
For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-10-2020 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 Sri Krishna Pd. Singh, the learned counsel for the petitioner and Sri Ashok Kumar, the learned APP for the State.

The petitioner seeks regular bail in connection with Haspura PS case no. 52 of 2020 instituted for the offences punishable under Section 30(A)(C)(D) of Bihar Excise Act.

The allegation is regarding the police having got secret information that the petitioner and others were engaging in manufacture and selling of illicit wine, whereafter the police had conducted a raid at the alleged place of occurrence and recovered 140 liters of spirit and other articles from the hen farm of one Baijnath Yadav.



The learned counsel for the petitioner has submitted that the petitioner is innocent and he has been falsely implicated in the present case. It is further submitted that the petitioner is languishing in custody since 23.03.2020 and infact, no illicit liquor has been recovered from the conscious possession of the petitioner.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the fact that no illicit liquor has been recovered from the conscious possession of the petitioner and the petitioner is languishing in custody since 23.03.2020, the abovenamed petitioner is directed to be released on 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 Additional Sessions Judge-VII-cum-Special Judge (Excise), Aurangabad in connection with Haspura PS case no. 52 of 2020.

(Mohit Kumar Shah, J)

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