

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26457 of 2020

Arising Out of PS. Case No.-15 Year-2020 Thana- BAIKUNTHPUR District- Gopalganj

BIRAN DAS Son of Baijnath Das Resident of Village- Katalpur, P.S.-
Baikunthpur, District- Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Natraj Verma, Advocate
For the Opposite Party/s : Mr. Rajkishore Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 12-10-2020 Heard Mr. Natraj Verma, learned counsel for the

petitioner and Mr. Rajkishore Singh, learned Additional Public

Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with
Baikunthpur P.S. Case No. 15 of 2020 registered for the
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

The allegation against the petitioner as per the First
Information Report is that the Police raided the house of the
petitioner and his son and recovered a total quantity of 765 litres
of illicit foreign liquor and 2287.225 litres of illicit foreign
liquor from the house of his son namely, Santosh Das.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged



and he has falsely been implicated in this case merely on the basis of the fact that huge quantity of illicit foreign liquor has been recovered from the house of his son. Learned counsel referring to seizure list submits that the liquor in quesstion was seized from the house of son of the petitioner namely, Santosh Das and from the bush situated near his house and not from the house of the petitioner. Learned counsel further submits that the petitioner is an old person aged about 70 years and has got no criminal antecedent. He is in custody since 04.03.2020.

Having heard learned counsel for the parties and taking into consideration the materials on record and the fact that the petitioner has got no criminal antecedent and he is in custody since 04.03.2020, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-II, Gopalganj, in connection with Baikunthpur P.S. Case No. 15 of 2020.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding



lockdown and social distancing.

(Anil Kumar Sinha, J)

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