

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21850 of 2020

Arising Out of PS. Case No.-93 Year-2019 Thana- KUCHAIKOTE District- Gopalganj

Mahatam Singh alias Mahatam Kumar Singh, (Male), aged about 46 years,
son of Ravindra Singh, Resident of Village- Paharpur Chhangur, Police
Station - Kuchaikote, District- Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh

For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-07-2020 Heard Mr. Lokesh Kumar Singh , learned counsel for
the petitioner and Mr. Akshay Lal Pandit, learned counsel
appearing for the State through video conferencing.

Learned counsel for the petitioner is directed to
remove the defects within eight weeks.

Petitioner seeks regular bail in connection with
Kuchaikote P.S. Case No. 93 of 2019 registered for the offence
punishable under Section 37(b)(c)/ 30(a)/ 38 (2)/ 41(1) of the
Bihar Prohibition and Excise Amendment Act, 2016.

The allegation against the petitioner is that Police
raided the house of the petitioner and recovered a total quantity
of 24.4 liters of illicit liquor from adjacent to the west wall of
the house of the petitioner and one person namely, Ravindra



Singh was arrested. The name of the petitioner has been disclosed by co-accused Sujit Singh.

Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged inasmuch as no illicit liquor has been recovered from the conscious possession of the petitioner. Learned counsel further submits that illicit liquor has been recovered near the west wall of the house of the petitioner which is a joint property and father of the petitioner was arrested by the police on the spot. Learned counsel further submits that father of the petitioner Ravindra Singh has been granted bail by this court in Cr. Misc. No. 33063 of 2019 and the petitioner is in custody since 24.04.2020.

Having regard to the submissions made by the parties and taking into consideration the materials available on record and the fact that father of the petitioner has been granted regular bail by this court, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge –



cum- Special Judge (Excise), Gopalganj / concerned court in connection with Kuchaikote P.S. Case No. 93 of 2019.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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