

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21843 of 2020

Arising Out of PS. Case No.-141 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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MADAN KUMAR, Sex-Male, aged about 19 years, Son of Baiju Sah,
Resident of Village- Mayurwa, Ward No. 12, P.S.- Sonbarsa, District-
Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Pramod Rajpati, Advocate.
For the Opposite Party : Mrs. Nirmala Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-07-2020 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 petitioner is directed to
remove the defects, 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 petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case for the offence
registered under Section 30(a) of the Bihar Prohibition and



Excise Act, 2016.

The prosecution story, in brief, is that total 198 liters wine is said to have been recovered.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 24.02.2020. The petitioner has got no criminal antecedent. Charge sheet/prosecution report has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. It is alleged that total 198 liters wine is recovered. There is no compliance of Section 100 of Cr. P.C.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R./ complaint case.

Considering the facts and circumstances of the case and also the lockdown, the petitioner above named, is directed to be released on bail on his personal bond to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge, Excise, Sitamarhi, in connection with Case No. C2/141/2020.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each within a period of four



weeks to the satisfaction of the court concerned in connection
with the aforesaid case.

(Sudhir Singh, J)

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