

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.22126 of 2020**

Arising Out of PS. Case No.-70 Year-2020 Thana- NAANPUR District- Sitamarhi

VIJAY RAI Son of Kailash Rai Resident of Village - Chaupar Khurd, P.S.-
Nanpur, Distt.- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Ms. Asha Devi, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 26-08-2020 Learned counsel for the petitioner undertakes to

remove all the defects within four weeks from the date of start

of normal functioning of the Court.

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner in this case is seeking regular bail in

connection with Nanpur P.S. Case No. 70 of 2020 registered for

the offences punishable under Sections 30(A), 38(i) (ii)/41 of

the Bihar Prohibition & Excise Act.

Learned counsel for the petitioner submits that in this

case the alleged illicit liquor has been recovered from the bank

of the government pond in village Chaupar Khurd which is a

public place. It is submitted that the petitioner has no criminal

antecedent and he is in custody since 30.03.2020. Investigation



against him is complete.

Learned APP for the State has though opposed the prayer for regular bail of the petitioner but considering the facts and circumstances of the case wherein this Court has noticed that the petitioner has no criminal antecedent, recovery is not from his possession and further that he is in custody since 30.03.2020, investigation against him is complete and his further incarceration is not likely to come in aid of investigation or help the prosecution, let the petitioner above named be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. II, Sitamarhi in connection with Nanpur P.S. Case No. 70 of 2020, subject to the conditions as laid down under Section 437(3) of the Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, or the commission of which he is suspected, and

(c) that such person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from



disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic during the lockdown period. The authorities concerned shall take appropriate steps to ensure such observance prior to and after release of the petitioner.

(Rajeev Ranjan Prasad, J)

avin/-

U		T	
---	--	---	--

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

