

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23040 of 2020

Arising Out of PS. Case No.-53 Year-2020 Thana- HASPURA District- Aurangabad

SUNIL KUMAR Son of Birendra Singh Resident of Village- Satyanarain
Bigha, Mahuli, P.O. Etwan, P.S.- Haspura, Distt- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shailesh Kumar Singh, Advocate
For the State	:	Mr. Nawal Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-09-2020 Heard Mr. Shailesh Kumar Singh, learned counsel for
the petitioner and Mr. Nawal Kishore Prasad, learned Additional
Public Prosecutor appearing for the State through video
conferencing.

Petitioner seeks regular bail in connection with
Haspura P.S. Case No. 53 of 2020 registered for the offences
punishable under Sections 30(a)(C) (d) of the Bihar Prohibition
and Excise (Amendment) Act, 2018.

The allegation against the petitioner in the First
Information Report is that the Police on the basis of secret
information that some persons are manufacturing and selling
illicit liquor, proceeded towards the place of occurrence and
recovered a total quantity of 112 litres of illicit liquor and 20
litres of spirit, packing machine, wrapper etc. from the house of



co-accused Raju Kumar. It has further been alleged that on seeing the Police Party four persons tried to escape, out of which, two persons including the petitioner were arrested from the place of occurrence.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged inasmuch as from perusal of the First Information Report and seizure list it would be evident that no illicit liquor has been recovered from possession of the petitioner whereas the illicit liquor as well as other materials have been recovered from the house of co-accused Raju Kumar. Learned counsel for the petitioner further submits that petitioner is in custody since 10.03.2020.

Having regard to the submissions made by the parties and taking into consideration the fact that nothing has been recovered from conscious possession of the petitioner or his premises and the petitioner is in custody since 10.03.2020, 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 Sessions Judge VII cum



Special Judge Excise, Aurangabad, in connection with Haspura
P.S. Case No. 53 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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