

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26811 of 2020

Arising Out of PS. Case No.-45 Year-2020 Thana- PUNAURA District- Sitamarhi

RAJESH KUMAR S/o Nagendra Rai Resident of Village-Malikana, Police
Station-Dumara, District-Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Adv.

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-10-2020 Heard Mr. Devendra Prasad Singh, learned counsel
for the petitioner and Smt. Gulnar Begum, Additional Public
Prosecutor for the state through video conferencing.

2. Petitioner seeks regular bail in connection with
Punaura PS Case No. 45/2020 registered for the offence
punishable under Sections 30(a) of Bihar Prohibition & Excise
Act 2016.

3. The allegation against the petitioner, as per First
Information Report, is that the police on the basis of secret
information, that some liquor has been kept in the village
Malikana, proceeded towards the place of occurrence and
reached to the field of one Rambrit Rai of Malikana Village
where the police found one person extracting something from
the heap of straw and upon seeing the police party tried to flee



away but, on chase, he was arrested and disclosed his name as Rajesh Kumar i.e., petitioner and the police recovered a total quantity of 261.360 litres of illicit liquor from the field of Rambrit Rai.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and from perusal of the FIR and seizure list, it would be evident that illicit liquor has been recovered from the field of Rambrit Rai and no illicit liquor has been recovered from the conscious possession of the petitioner or from the premises belonging to him.

5. Learned counsel also submits that petitioner is in custody since 18.03.2020 having no criminal antecedents.

6. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner is in custody since 18.03.2020 having no criminal antecedents, I am inclined to grant regular bail to the petitioner.

7. Accordingly, let the petitioner, RAJESH KUMAR be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-II-



cum-Special Judge, Excise, Sitamarhi in connection with
Punaura PS Case No. 45/2020.

8. 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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