

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26912 of 2020

Arising Out of PS. Case No.-90 Year-2020 Thana- SONBERSA District- Sitamarhi

SUSHIL DAS Son of Ram Ishwar Das Resident of Village - Ram Nagra, P.S.-
Kanhauli, District - Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 11-11-2020 Heard Mr. Ashok Kumar Jha, learned counsel
appearing on behalf of the petitioner and Mr. Pranav Kumar,
learned Additional Public Prosecutor, for the State of Bihar.

This application for grant of regular bail arises out of Sonbarsa P.S. Case No. 90 of 2020, registered for the offence punishable under Sections 271, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Two persons were apprehended by the police on the ground that they were carrying illicit liquor (381 liters). It is submitted on behalf of the petitioner that even as per the case of the prosecution, the petitioner was not arrested from the vehicle allegedly carrying the illicit liquor, rather he was arrested on the ground that he was seen fleeing away from the vehicle. He has submitted that in similar circumstance, co-accused Rajiv Kumar Paswan has been allowed regular bail by this Court by order



dated 17.09.2020 passed in Cr. Misc. No. 23723 of 2020. The petitioner is in custody since 10.05.2020.

Considering the aforesaid circumstance and submission advanced on behalf of the petitioner, this application is allowed.

Let the petitioner, above named, 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 the learned Additional District Judge-II-cum Special Judge Excise Act, Sitamarhi, in Sonbarsa P.S. Case No. 90 of 2020.

It is directed that the defect(s) in the application, pointed out by the Registry, must be removed within two months.

Since COVID-19 pandemic situation is prevailing, the Court has considered it appropriate to adopt following procedure for communication of the present order :-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by



this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential-office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned Court below through e-mail or any other appropriate electronic mode by the Registry.

Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social distancing.

(Chakradhari Sharan Singh, J)

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