

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.27336 of 2020**

Arising Out of PS. Case No.-88 Year-2019 Thana- HATHIDAH District- Patna

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GANGA RAM Son of Sri Madan Ram Resident of Village - Ram Tola Aunta,
P.S. - Hathidah, District - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand,Advocate

For the Opposite Party/s : Mr.Uday Pratap Singh, APP

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

2 21-10-2020 Learned counsel for the petitioners undertakes to

remove all the defects pointed out by the Stamp Reporter within four
weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Uday
Pratap Singh, learned APP for the State.

The petitioner in this case is seeking regular bail in
connection with Hathidah P.S. Case No. 88 of 2019 registered for the
offence punishable under Section 30(a) of the Bihar Prohibition &
Excise (Amendment) Act, 2016.

Learned counsel for the petitioner submits that as per the
allegation, the police officials recovered 130 liters of country made
liquor from the house of this petitioner and police arrested the father
and younger brother of the petitioner.

It is submitted that the petitioner was not apprehended on
the spot and nothing has been recovered from his possession. The



petitioner is in custody since 04.03.2020 having no criminal antecedent.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is alleged that 130 liters of illicit liquor has been recovered and that the petitioner is in custody in this case since 04.03.2020 and he has otherwise no criminal antecedent, 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 Special Judge, Excise, Patna in connection with Special Excise Case No. 9547 of 2019 arising out of Hathidah P.S. Case No. 88 of 2019, subject to the condition as laid down under Section 437 (3) 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, of 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.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed their criminal antecedent, the court below shall take steps for cancellation of bail bonds of the petitioner.

This application is allowed.

(Rajeev Ranjan Prasad, J)

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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'.

