

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23546 of 2020

Arising Out of PS. Case No.-114 Year-2020 Thana- KADAMKUAN District- Patna

RAJU SAW S/o Saryug Saw @ Saryug R/o Mohalla- Musallahpur Hat, Chai
Tola, P.S.- Kadamkuan, District- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Satyadeo Prasad Singh, APP.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 15-09-2020

As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the learned Counsel for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Kadamkuan PS Case No. 114 of 2020 registered under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

Since 10.5.2020 the petitioner is in custody on alleged recovery of 134.175 liters of Indian Made Foreign Liquor allegedly from his house.

Learned Counsel for the petitioner submits that even as per the prosecution case recovery was not made in his presence. He denies and disputes the recovery altogether and submits that it is a



case of false implication and that there is no compliance with the prescribed procedure of recovery. It is submitted that the petitioner has no criminal antecedent.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise, Patna in Kadamkuan PS Case No. 114 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

SNkumar/-

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

