

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27500 of 2020

Arising Out of PS. Case No.-125 Year-2018 Thana- MAIRWAN District- Siwan

PAWAN KUMAR RAM @ SHASHIKANT KUMAR RAM Son of Bachcha
Ram R/o Village and P.O. Amarpur, P.S.- Darauli, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Dwivedi

For the Opposite Party/s : Mr. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-11-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Shri Matloob Ram, the learned A.P.P. appearing for the State.

The petitioner seeks regular bail in connection with Mairwa P.S. Case No. 125 of 2018 for the offence punishable under Sections 272, 273, 34 of the Indian Penal Code and Section 30(a), 38(i) and 41(i) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of huge quantity of illicit liquor from behind the house of one Jai Ram Singh.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 12.03.2020. It is submitted that the name of the petitioner has transpired in the present case on the basis of confessional



statement of the co-accused person. Lastly, it is submitted that co-accused persons namely Prince Kumar and Mukesh Singh @ Mukesh Kumar Singh have already been granted bail by co-ordinate Benches of this Court vide orders dated 13.7.2018 and 04.09.2018 passed in Cr. Misc. No. 40099 of 2018 and Cr. Misc. No. 54613 of 2018.

Per contra, the learned Additional Public Prosecutor has vehemently opposed the prayer for regular bail, made by the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions advanced by the learned counsel for the parties and taking into account the parity of the case of the petitioner with that of the co-accused persons, who have already been granted bail by co-ordinate Benches of this Court, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned A.D.J. II-cum- Special Judge, Excise, Siwan in connection with Mairwa P.S. Case No. 125 of 2018.

(Mohit Kumar Shah, J)

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