

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27787 of 2020

Arising Out of PS. Case No.-44 Year-2019 Thana- KACCHWA District- Rohtas

VINAY SHAW S/o Mahendra Shaw Resident of Village-Amauna, P.S.-
Kacchwa, District-Rohtas. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Tripathy

For the Opposite Party/s : Ms. Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 10-11-2020 Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor representing the State, through

Video Conferencing.

The petitioner seeks regular bail in connection with
Kacchwa Police Station Case No. 44 of 2019, registered for the
offences punishable under Section 30 (a) of the Bihar
Prohibition and Excise Act, 2016.

The allegation, as per the First Information Report, is
that the house of the petitioner was raided and the police
recovered a total quantity of 114.48 litres of illicit liquor from
the same.

Learned Counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and at the time of raid, he was not present in his house and the
procedure prescribed for search and seizure under Section 100
of the Cr.P.C. has not been followed by the raiding team. He



further submits that the house, from where illicit liquor has been recovered, belongs to joint family and other family members of the petitioner also reside in the said house. He next submits that the petitioner is in custody since 14.10.2019.

After having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the petitioner has got no criminal antecedent of the similar nature and he is in custody since 14.10.2019, I am inclined to grant bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge, Rohtas, at Sasaram, in connection with Kacchwa Police Station Case No. 44 of 2019.

It is further made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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