

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 23532 of 2020**

Arising Out of PS. Case No.-29 Year-2020 Thana- RAJPUR District- Buxar

SANJAY KUMAR SINGH Son of Raj Kumar Singh Resident of Village
Baghelawa, P.S. - Rajpur, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Ravi Shankar Pathak, Advocate

For the Opposite Party/s : Mr Ramchandra Sahni, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 **16-09-2020** As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

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

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in Rajpur Police Station (for brevity, PS) Case No 29 of 2020 instituted for the offence punishable under Section (s) 30 (a) of Bihar Excise and Prohibition Act.



Recovery of 43.200 ml of liquor is alleged from a hut situated near his house has led the arrest of the petitioner. The police had gone there on patrolling duty on receiving information that the illicit liquor was stored for the purpose of selling the same.

Petitioner's counsel submits that the petitioner is a man of clean antecedent. On such recovery, admittedly, from a hutment, away from his house, the petitioner is in custody since 12.02.2020. The submission is that the recovery is not from the house or from his conscious possession.

The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge II -cum- Special Judge, Excise, Buxar in Rajpur PS Case No 29 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.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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