

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23915 of 2020

Arising Out of PS. Case No.-128 Year-2020 Thana- PHULWARIYA District- Gopalganj

PAPPU KUMAR SINGH Son of Jagat Narayan Singh Resident of Village-
Baleshra, P.S.- Uchkagaon, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-09-2020 Heard Mr. Vyas Kumar Mishra, learned counsel

for the petitioner and Mr. Kumar Ranjit Ranjan learned

Additional Public Prosecutor appearing for the State

through video conferencing.

Petitioner seeks regular bail in connection with

Phulwariya P.S. Case No. 128 of 2020 registered for the

offences punishable under Sections 30(a) and 32(2) of the

Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation against the petitioner as per the

First Information Report is that the Motorcycle of the

petitioner was intercepted by the Police and recovered a

total quantity of 36 litres of illicit liquor from the same.

Learned counsel for the petitioner submits the



petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case by the Police with oblique motive. Learned counsel further submits that there is no independent witness to the search and seizure and the Police at the time of search and seizure did not follow the procedure prescribed under Section 100 Cr. P.C. Learned counsel also submits that the petitioner is in custody since 3.6.2020 having no criminal antecedent.

Having regard to the submissions made by the parties and taking into consideration the materials on record and also the fact that the petitioner has got no criminal antecedent and he is in custody since 3.6.2020, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-II-cum-Special Judge, Excise, Gopalganj, in connection with Phulwariya P.S. Case No. 128 of 2020.

It is made clear that at the time of furnishing bail



bonds all the parties shall follow the guidelines regarding
lockdown and social distancing.

(Anil Kumar Sinha, J)

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