

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25631 of 2020

Arising Out of PS. Case No.-85 Year-2020 Thana- BISHWAMBHARPUR District-
Gopalganj

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SANT KUMAR RAI @ SANT KUMAR SINGH Son of Ram Naresh Rai @
Ram Naresh Singh Resident of Village- Baraipatti, P.S.- Yadopur, District-
Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhramveer, Advocate

For the Opposite Party/s : Smt. Asha Devi, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-09-2020 Heard Mr. Dhramveer, learned counsel for the

petitioner and Smt. Asha Devi, learned Additional Public

Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with

Vishambarpur P.S. Case No. 85 of 2020 registered for the

offence punishable under Section 30(a) of the Bihar Prohibition

and Excise Act, 2018.

The case of the prosecution in brief is that when the

Police was on patrolling duty, received a secret information that

one person was going towards the bank of village Kala

Matihiniya dam having liquor kept in a plastic bag on his head.

Upon this information, the police reached the place of

occurrence. A person on seeing the Police party threw his bag



on the ground and started fleeing away, but he was caught, on chase. The Police recovered a total quantity of 36 litres of illicit liquor from the seized bag.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and the illicit liquor has been recovered from a bag by the Police in the village Kala Matihiniya in front of temple of Rama Shankar Singh situated on the *bandh* (culvert) of the river as is evident from the seizure list. Learned counsel also submits that the petitioner has got no criminal antecedents and he is in custody since 15.6.2020.

Having regard to the submissions made by the parties and taking into consideration the materials on record, the fact that the petitioner has got no criminal antecedent and he is in custody since 15.6.2020, 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 Sessions Judge-II, Gopalganj, in connection with Vishambarpur P.S. Case No. 85 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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