

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32310 of 2020

Arising Out of PS. Case No.-18 Year-2019 Thana- BRAHMPUR District- Buxar

SONU SINGH S/o Mahanth Singh Resident of Village-Garhatha Khurd, P.S-
Brahmpur, District-Buxar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Bachan Jee Ojha, Advocate

For the Opposite Party : Mr. Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 08-12-2020 Heard Mr. Bachan Jee Ojha, learned counsel
appearing on behalf of the petitioners and Mr. Binod Kumar
No.3, learned Additional Public Prosecutor, for the State of
Bihar.

This application for grant of regular bail arises out of
Brahmpur P.S. Case No. 18 of 2019, registered for the offence
punishable under Section 30A of the Bihar Prohibition and
Excise Act.

It is alleged in the First Information Report that
2332.80 liters of English wine was recovered by the police, on
the basis of secret information, from a pick-up van and a
Mahindra vehicle. Allegedly, the persons, who were occupying
the vehicle, attempted to flee away. Four of them were,
however, apprehended. They disclosed the name of this
petitioner as one of their associates, who had fled away. The



petitioner was subsequently arrested.

From paragraph 3 of the application it transpires that the petitioner has been made accused in following five cases of same nature :

“(I) Brahmpur P.S. Case No. 64/2020 offence under Section 30(a) of Bihar Prohibition and Excise Act.

(II) Brahmpur P.S. Case No. 18/2019 offence under Section 30(a) of Bihar Prohibition and Excise Act.

(III) Brahmpur P.S. Case No. 63/2020 offence under Section 30(A) of Bihar Prohibition and Excise Act.

(IV) Brahmpur P.S. Case No. 22/2019 offence under Section 30(A) of Bihar Prohibition and Excise Act.

(V) Brahmpur P.S. Case No. 376/2020 offence under Section 30(A) of Bihar Prohibition and Excise Act.”

Considering the petitioner’s criminal antecedent and quantity of illicit liquor said to have been recovered, this application is dismissed for the present.

Petitioner shall be at liberty to approach this Court renewing his prayer for bail after six months, if, in the meanwhile, there is no substantial progress at the trial.

It is directed that the defect(s) in the application, pointed out by the Registry, must be removed within two months.

Since COVID-19 pandemic situation is prevailing, the



Court has considered it appropriate to adopt following procedure for communication of the present order :-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential-office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned Court below through e-mail or any other appropriate electronic mode by the Registry.

Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social distancing.

(Chakradhari Sharan Singh, J)

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