

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30130 of 2020

Arising Out of PS. Case No.-116 Year-2020 Thana- GAURICHAK District- Patna

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RANESH KUMAR @ PHUTU SINGH S/o Sri Vishwanath Singh Resident
of Village- Alawalpur, P.S.- Gaurichak, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suresh Singh, Adv.

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-11-2020 Heard Mr. Suresh Singh, learned counsel for the

petitioner and Mr. Nawal Kishore Prasad, Additional Public

Prosecutor for the state through video conferencing.

2. Petitioner seeks regular bail in connection with

Gaurichak PS Case No. 116/2020 registered for the offence

punishable under Sections 30(a) of Bihar Prohibition & Excise

Act 2016.

3. The allegation, as per First Information Report, is

that total quantity of 70 litres of country made Mahua liquor has

been recovered from the auto-rickshaw of the petitioner.

4. Learned counsel for the petitioner submits that the

petitioner has got no criminal antecedents and he has been

implicated in this case with oblique motive. Learned counsel

further submits that the petitioner earns his livelihood by driving



the said auto-rickshaw. Learned counsel next submits that the procedure of search and seizure prescribed under Section 100 CrPC has not been followed at the time of recovery of the illicit liquor from the said auto-rickshaw of the petitioner.

5. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that the petitioner has got no criminal antecedents and is in custody since 04.05.2020, I am inclined to grant regular bail to the petitioner.

6. Accordingly, let the petitioner, RANESH KUMAR @ PHUTU SINGH be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Gaurichak PS Case No. 116/2020.

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

(Anil Kumar Sinha, J)

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