

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29761 of 2020

Arising Out of PS. Case No.-261 Year-2020 Thana- LAKHISARAI District- Lakhisarai

DINANATH RAWAT S/o- Nandu Rawat Resident of Village- Lachhuar, P.S.-
Sikandara, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar
For the Opposite Party/s : Mr. Nityanand.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-11-2020 Due to COVID-19 Pandemic, the matter is being taken up by
way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of four weeks
after restoration of normalcy.

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

The petitioner seeks bail in a case registered under Section
30(d), 32(3) of the Bihar Prohibition and Excise Act, 2016 and
Sections 2(e), 3, 5, 13 of Bihar Excise (Mahua Flowers) Rules 2016.

The prosecution case, in short, is that 300 kg of Mahua
Flower is recovered.

It has been submitted on behalf of the petitioner that the



petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 14-05-2020. Charge sheet/Prosecution report in this case has already been submitted.. It is alleged that 300 kgs of Mahua Flower is said to have been recovered from the vehicle in question. The petitioner is said to be driver of the vehicle in question. The Mahua Flower does not come under the purview of Excise Act. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, 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 Additional Sessions Judge-II-cum-Special Judge, Excise, Lakhisarai in connection with Lakhisarai P.S. Case No. 261 of 2020.

(Sudhir Singh, J)

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