

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30045 of 2020

Arising Out of PS. Case No.-89 Year-2020 Thana- DERNI BAZAR District- Saran

AMIT RAY S/o Yogendra Ray Resident of Village-Bhatwaliya, Sutihaar, P.S.-
Derni, District-Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rakesh Kumar Sharma, Mr. Ravi Prakash Dwivedi, Advocates.
For the Opposite Party/s	:	Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-11-2020 Heard Mr. Rakesh Kumar Sharma, learned counsel for
the petitioner and Mr. Chandra Bhushan Prasad, Additional Public
Prosecutor for the state through video conferencing.

2. Petitioner seeks regular bail in connection with Derni
PS Case No. 89/2020 registered for the offence punishable under
Sections 30/30(a) of Bihar Prohibition & Excise Act 2016.

3. The allegation, as per First Information Report, is that
the police on the basis of confidential report proceeded towards the
place of occurrence and upon seeing the police party accused persons
tried to flee away and managed to escape. However, the police
recovered total quantity of 60 litres of country made liquor from the
place of occurrence and village Chaukidar disclosed the name of the
petitioner as one of the accused persons.

4. Learned counsel for the petitioner submits that the
petitioner has got no criminal antecedent and he has falsely been



implicated in this case merely on the basis of his name having been disclosed by village Chaukidar. Learned counsel further submits that no illicit liquor has been recovered from the conscious possession of the petitioner or from the premises belonging to him.

5. Learned counsel for the petitioner further submits that petitioner is in custody since 07.06.2020.

6. 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 antecedent and is in custody since 07.06.2020 , I am inclined to grant regular bail to the petitioner.

7. Accordingly, let the petitioner, AMIT RAY 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, Saran, Chapra in connection with Derni PS Case No. 89/2020.

8. 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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