

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 30421 of 2020**

Arising Out of PS. Case No.-660 Year-2019 Thana- LAKHISARAI District- Lakhisarai

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UMESH PRASAD VERMA Son of - Medni Saw Resident of Village-
Bichhwe, P.S.- Sikandra, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Sanjeev Kumar, Advocate

For the Opposite Party/s : Ms Meena Singh, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 24-11-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Heard learned counsel for the petitioner.

Ms Meena Singh, APP is appearing as it is submitted that the brief has been allotted to her by the Office of Advocate General.

The petitioner seeks bail in Luckeesarai Police Station (for brevity, *PS*) Case No 660 of 2019 instituted for the offence



punishable under Section 30 (a) of Bihar Prohibition and Excise Act, 2016.

There is alleged recovery of 414.72 liters of illicit foreign liquor from the pick up van.

It is submitted that the petitioner is the Owner and was not having knowledge about transportation of liquor by the Driver. Co-accused Ashok Singh @ Ashak Sinh, from whose pick up van, larger quantity of illicit liquor has been recovered, has already been granted anticipatory bail by this Court in Cr Misc No 649 of 2020 (Annexure 2). Petitioner, having no criminal antecedent, is in custody since 17.06.2020.

The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge II -cum- Special Judge (Excise), Luckeesarai in Luckeesarai PS Case No 660 of 2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to



how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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