

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30097 of 2020

Arising Out of PS. Case No.-36 Year-2020 Thana- BYPASS District- Patna

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GOLDY KUMAR S/o Jitendra Prasad Resident of Ashok Vihar, Police
Station-Bypass and District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Avinash Kumar Singh, Mr. Manish Kumar No2, Advocates.
For the Opposite Party/s :		Mr. Akshay Lal Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-11-2020 Heard Mr. Avinash Kumar Singh, learned counsel

for the petitioner and Mr. Akshay Lal Pandit, Additional Public

Prosecutor for the state through video conferencing.

2. Petitioner seeks regular bail in connection with

Special Case No. 1053/2020 arising out of Bypass PS Case No.

36/2020 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 the police recovered 111 Litres of English liquor from the

Gumti (kiosk) of the petitioner.

4. Learned counsel for the petitioner submits that the

petitioner has got no criminal antecedent of similar nature and

he has falsely been implicated in this case with oblique motive.

Learned counsel further submits that procedure of search and



seizure prescribed under Section 100 CrPC has not been followed at the time of recovery of illicit liquor from the *Gumti* (kiosk) of the petitioner. Learned counsel next submits that the petitioner is in custody since 31.01.2020.

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 antecedent of similar nature and is in custody since 31.01.2020, I am inclined to grant regular bail to the petitioner.

6. Accordingly, let the petitioner, GOLDY KUMAR 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 Act, Patna in connection with Special Case No. 1053/2020 arising out of Bypass PS Case No. 36/2020.

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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