

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29778 of 2020

Arising Out of PS. Case No.-161 Year-2020 Thana- BIBHUTIPUR District- Samastipur

KUNDAN KUMAR Son of Late Sunil Rai Resident of Village - Belsandi
Tara, Police Station - Bibhutipur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mrs. Pushpa Sinha, APP.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-11-2020 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 defects, as pointed out by the Office, within a period
of four weeks from the date of restoration of normalcy.

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

The petitioner seeks bail in a case instituted for the
offences under Sections 272, 273 of the Indian Penal Code and
30(a) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 141 liters wine is
recovered.



It has been submitted on behalf of the petitioner that the petitioner is in custody since 23.06.2020 and has got no criminal antecedent. Charge-sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. It is alleged that 141 liters wine is recovered from the joint house of the petitioner where other family members also reside. 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./complaint case.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Samastipur in connection with Bibhutipur/Vibhutipur P.S. Case No. 161 of 2020 Computer Reg. No. 568 of 2020.

(Sudhir Singh, J)

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