

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32724 of 2020

Arising Out of PS. Case No.-554 Year-2020 Thana- KHAGARIA District- Khagaria

Rohit Kumar, S/o Garib Prasad Mahto, Resident of Village - Dan Nagar, Ward
No. -5, P.S.- Khagaria, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar,

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate

For the Opposite Party/s : Smt. Meena Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-12-2020 Heard Mr. Binod Kumar, learned counsel for the

petitioner and Smt. Meena Singh, learned Additional Public

Prosecutor appearing for the State through video

conferencing.

Petitioner seeks regular bail in connection with

Khagaria P.S. Case No. 554 of 2020 registered for the

offence punishable under Section 30(a) of Bihar Prohibition

and Excise (Amendment) Act, 2018.

The allegation as per the First Information Report

is that the Police recovered a total quantity of 47.865 litres

of illicit foreign liquor from the house of the petitioner.

Learned counsel for the petitioner submits that

petitioner has not committed any offence in the manner



alleged and he has falsely been implicated in this case with oblique motive. Learned counsel further submits that from perusal of the First Information Report it would be evident that when the Police arrived, petitioner fled away from the tent house situated in front of the house of the petitioner. Learned counsel also submits that illicit liquor has been recovered from the tent house, but the Police has shown it to be recovered from his house and exact place of recovery is not mentioned in the seizure list. Learned counsel next submits that the tent house has been let out to the tenant and the same is not in possession of the petitioner. The petitioner is in custody since 7.8.2020 i.e. for about four months.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that petitioner is in custody since 7.8.2020, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special



Judge, Excise Act, Khagaria, in connection with Khagaria
P.S. Case No. 554 of 2020.

It is made clear that at the time of furnishing bail
bonds all the parties shall follow the guidelines regarding
social distancing.

(Anil Kumar Sinha, J)

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