

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31631 of 2020

Arising Out of PS. Case No.-419 Year-2019 Thana- KUCHAIKOTE District- Gopalganj

SUKHVINDRA SINGH @ SUKHVINDAR SINGH @ SUKKHA @
SUKHA S/o Balkar Singh Resident of Village-Uhla Bikhkhi, P.S.-Taran,
District-Taran (Punjab).

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Arvind Kumar
	:	Mr. Alok Kumar @ Alok Kumar Shahi
For the Opposite Party	:	Mr. Prem Kumar Jha (APP)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 07-12-2020 Heard Mr. Arvind Kumar, learned counsel appearing on behalf of the petitioner and Mr. Prem Kumar Jha, learned Additional Public Prosecutor, for the State of Bihar.

This application for grant of regular bail arises out of Kuchaikote P.S. Case No. 419 of 2019, registered for the offence punishable under Sections 30(a), 32(2) and 41(i) of Bihar Prohibition and Excise Act, 2018.

The police are said to have recovered 4067.070 liters of illicit liquor from a truck. The driver of the vehicle was apprehended, who disclosed the petitioner's name as owner of the vehicle, who had sent to Bihar from Haryana the vehicle loaded with illicit liquor.

Petitioner is resident of Taran district of the State of Punjab. It appears that he has criminal history inasmuch as he is



accused in another case registered in 2017 as is evident from paragraph 3 of the application. It has been stated that he is on bail in that case. Apparently, the petitioner is said to have committed the second offence while on bail.

Learned counsel appearing on behalf of the petitioner has submitted that since the petitioner's name has surfaced only on the basis of disclosure made by co-accused and he is in custody since 15.06.2020, he may be allowed regular bail.

I am not convinced with the submission advanced on behalf of the petitioner considering huge quantity of illicit liquor recovered from the vehicle belonging to the petitioner particularly because the petitioner has criminal antecedent.

This application is accordingly rejected.

It is directed that the defect(s) in the application, pointed out by the Registry, must be removed within two months.

Since COVID-19 pandemic situation is prevailing, the Court has considered it appropriate to adopt following procedure for communication of the present order :-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.



(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential-office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned Court below through e-mail or any other appropriate electronic mode by the Registry.

Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social distancing.

(Chakradhari Sharan Singh, J)

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