

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35474 of 2020

Arising Out of PS. Case No.-97 Year-2020 Thana- KALUAHI District- Madhubani

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SUMAN KUMAR SAH son of Bablu Sah Resident of Village- Kapleshwar
Asthan (Bashouli), P.S.- Rahika, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-12-2020 Heard Mr. Ratanakar Jha, learned counsel for the

petitioner and Mr. Ram Priya Sharan Singh, learned Additional

Public Prosecutor appearing for the State through video

conferencing.

Petitioner seeks regular bail in connection with

Kaluahi P.S. Case No. 97 of 2020 registered for the offences

punishable under Sections 272 and 273 of the Indian Penal Code

1860 and Section 30(a) of the Bihar Prohibition and Excise Act,

2016.

The allegation as per the First Information Report is

that 45 litres of illicit *Nepali Soufi* has been recovered from the

Scooty of the petitioner.

Learned counsel for the petitioner submits that the

petitioner has falsely been implicated in this case on the basis of



suspicion. Learned counsel further submits that at the time of search and seizure the procedure prescribed under Section 100 Cr. P.C. has not been followed. Learned counsel also submits that the petitioner is in custody since 16.7.2020 having no criminal antecedent and the charge sheet has already been submitted against the petitioner in the present case.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that the petitioner is in custody since 16.7.2020 having no criminal antecedent and charge sheet has already been submitted, 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.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II cum Special Judge, Excise Act, Madhubani, in connection with Kaluahi P.S. Case No. 97 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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