

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75774 of 2019

Arising Out of PS. Case No.-93 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Banka

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Pravesh Kumar @ Pravesh Kumar Sah S/o Vijay Prasad Sah R/o village-
Balua Chak, P.S.- Jagdishpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhakar Kumar
For the Opposite Party/s : Mr. Md. Mushtaque Alam

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 29-05-2020 The matter has been taken up through the virtual
court proceeding.

Heard learned counsels for the petitioner and the
State.

The present application has been filed for grant of
bail in a case registered for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016 as
amended by Amendment Act 8 of 2018.

The prosecution case, as per the written report of
A.S.I., Prohibition, Mr. Saurabh Kumar, is to the effect that the
petitioner and co-accused Sanjay Kumar Laiya were intercepted
while getting down from a train and from the possession of the
petitioner, 26 litres of country made liquor and from the co-



accused Sanjay Kumar Laiya, 10 litres of country made liquor were recovered.

Learned counsel for the petitioner submits that the petitioner is languishing in custody since 07.09.2019 and the investigation has already been concluded. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned counsel for the State submits that the recovery has been made from the possession of the petitioner and co-accused person.

Considering the nature of recovery, period under custody and the investigation being already concluded, , let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned Additional Sessions Judge-II, Banka/ Special Court, Banka in connection with Excise Complaint Case No. 93 of 2019.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond upon furnishing an undertaking by the surety, on photo copy of his Aadhar Card to the effect that he is ready to become the bailor of the petitioner which may be transmitted by



such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties including one surety given at the time of provisional bail of the like amount each to the satisfaction of the learned Additional Sessions Judge-II, Banka/ Special Court, Banka in connection with Excise Complaint Case No. 93 of 2019.

The learned Court below will be at liberty to further extend the period of provisional bail if the lockdown is not over in next three months.

(Dinesh Kumar Singh, J)

Amrendra/-

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