

THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75670 of 2019

Arising Out of PS. Case No.-349 Year-2019 Thana- DHAKA District- East Champaran

Rakesh Kumar @ Bhuta Sah @ Rakesh Sah, aged about 30 years (M), son of Late Ramdeo Sah, resident of Village Pachpakadi, P.S. Dhaka (Pachpakadi), District East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Adv.

For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

3 12-05-2020 Heard learned counsel for the petitioner and counsel for the State.

In this case, the petitioner is seeking bail in connection with Dhaka (Pachpakri) P.S. Case No. 349 of 2019 registered for offences punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

As per allegation made in the First Information Report, on receipt of secret information, the police reached at the house of the petitioner, after seeing the police force, he started to flee away from there but, on chase, he was apprehended by the police. On search, the police recovered 1304.100 liters of Nepali country made wine from the cattle house of the petitioner which were seized.



The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application and he is in judicial custody since 17.9.2019.

Considering the entire facts and circumstances of the case as also considering the present situation arising out of Covid-19 outbreak, the petitioner, above-named, is directed to be released on personal bail bond to the satisfaction of learned Special Judge, Excise, Motihari, East Champaran in connection with Dhaka (Pachpakri) P.S. Case No. 349 of 2019 with a condition that if the petitioner, after his release in this case, is again found involved in similar nature of offences then the concerned court/prosecution will be at liberty to take steps for cancellation of his bail bond.

Since the country is presently under a lockdown situation because of the Novel Coronavirus Pandemic and all of us are maintaining social distancing, considering the hardship which the petitioner may have to face in arranging the sureties, this Court has taken a view to grant bail on personal bond of the petitioner to the satisfaction of the court below.

(Shivaji Pandey, J)

Rishi/V.K.Pandey

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