

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44795 of 2021

Arising Out of PS. Case No.-211 Year-2020 Thana- BATHNAHA District- Sitamarhi

=====

HARISHANKAR KUMAR SON OF CHANDESHWAR SAH Resident of
Village - Ramnagara, P.S.- Riga, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-08-2021 Heard Mr. Virendra Kumar, learned counsel for the

petitioner and Mr. Ramchandra Sahni, learned Additional Public

Prosecutor for the State through video conferencing.

Petitioner renews his prayer for bail in connection
with Bathnaha PS Case No. 211/2020 registered for the offence
punishable under Section 30(a) of Bihar Prohibition and Excise
Act, 2016 inasmuch as earlier bail application of the petitioner
was rejected *vide* order dated 13.04.2021 passed in Cr. Misc No.
6254/2021 (Annexure-1) with liberty to renew his prayer for
bail after three months.

The allegation in the First Informant Report is that
while police party was on patrolling duty, they received secret
information that near Quari Chowk NH 77, a car was standing
and the petitioner was indulged in selling illicit liquor from the



said car from where the police recovered total quantity of 95.4 litres of illicit liquor. The petitioner was arrested at some distance from the place of occurrence.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case inasmuch as no illicit liquor from his conscious possession has been recovered and the car, from where the illicit liquor was recovered, does not belong to him. Learned counsel next submits that petitioner is in custody since 13.09.2020 and the charge-sheet has already been submitted in the matter.

Regard being had to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner is in custody since 13.09.2020, the charge-sheet has already been submitted and the trial is not likely to be concluded in near future due to pandemic of COVID-19 and this is the second attempt for bail on behalf of petitioner, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, HARISHANKAR KUMAR be released on bail on furnishing bail bond 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, Sitamarhi/the court



concerned in connection with Bathnaha PS Case No. 211/2020.

Covid protocol like social/physical distancing and sporting masks are expected to be followed strictly by the parties while furnishing bail bonds.

(Anil Kumar Sinha, J)

perwez

U		T	
---	--	---	--

