

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49423 of 2021

Arising Out of PS. Case No.-55 Year-2020 Thana- PARBATTa District- Bhagalpur

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Bimlesh Kunwar @ Bimlesh Kumr Son of Jata Shankar Kumar @ Jata
Shankar Kunwar Resident of Village - Khagra, P.S.- Parbatta, Distt.-
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-12-2021 The present petition has been taken up for

consideration through the mode of Video Conferencing in view

of the prevailing situation on account of Covid 19 pandemic,

requiring social distancing.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Parbatta P.S. Case No. 55 of 2020 dated 07.08.2020 instituted
for the offences under Sections 37(b), (c) of the Bihar
Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the
petitioner is in custody since 08.08.2020 and charge-sheet has
been submitted in the case and he was arrested on the allegation



that he was drunk.

Learned counsel for the petitioner submits that for the first time he has seen a case of such nature where a person who was found drunk with 93 mg/100 ml of liquor found by breath analyzer has remained in custody for nearly sixteen months.

Learned A.P.P. for the State is not in a position to oppose the bail application in the nature of allegation as alleged in the F.I.R.

Considering the fact that the petitioner is in custody since 08.08.2020 and charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing personal bond to the satisfaction of learned 2nd Additional District and Sessions Judge-II-cum-Special Judge, Excise Act-cum-Special Judge, Vigilance (Trap) Act, Bhagalpur in connection with Parbatta P.S. Case No. 55 of 2020 subject to the condition as laid down under Section 437 (3) Cr.P.C.

(Satyavrat Verma, J)

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