

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43844 of 2021

Arising Out of PS. Case No.-101 Year-2021 Thana- BIDUPUR District- Vaishali

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1. UPENDRA SINGH Son of Late Ramswarath Singh Resident of Village - Rahimapur, P.S.- Bidupur, Dist.- Vaishali.
 2. SUNNY KUMAR Son of Upendra Singh Resident of Village - Rahimapur, P.S.- Bidupur, Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate
For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-02-2022 Heard Mr. Vinay Kumar Mishra, learned counsel for the petitioners and Mr. Chandra Sen Prasad, learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioners seek regular bail in connection with Bidupur P.S. Case No. 101 of 2021 registered for the offence punishable under Sections 30, 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

A total quantity of 502 litres of cane Beer has been recovered from *dalan* of banana orchard situated behind the house of the petitioners.

Learned counsel for the petitioners submits that the



petitioners are father and son.

Learned counsel for the petitioners submits that the illicit liquor has been recovered from the *dalan* of Banana orchard situated behind the house of the petitioners which is an open space accessible to all and sundry. He further submits that the petitioner has got no criminal antecedents of similar nature of offence, they are in custody since 27.3.2021 and charge sheet has already been submitted.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that petitioners have got no criminal antecedents of similar nature of offence under the Excise Act, they are in custody since 27.3.2021, charge sheet has already been submitted and the trial is not likely to be concluded in near future due to Covid-19 pandemic, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge IInd cum Special Excise Court, Vaishali at Hajipur, in connection with Bidupur P.S. Case No. 101 of 2021.

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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