

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10958 of 2020

Arising Out of PS. Case No.-400 Year-2019 Thana- RUNISAIDPUR District- Sitamarhi

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1. TAPESHWOR RAI @ TAPESHWOR KUMAR RAY Son of Gaya Rai
Resident of Village - Manorathi Tola Baghari, P.S.- Runnisaidpur, District-
Sitamarhi
 2. Akhilesh Rai @ Akhilesh Kumar Son of Gaya Rai Resident of Village -
Manorathi Tola Baghari, P.S.- Runnisaidpur, District- Sitamarhi

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Jha

For the Opposite Party/s : Mrs. Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-06-2020 This case has been heard through video conferencing.

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

The petitioners apprehend their arrest in a case
registered for the offences punishable under Section 30 (a), 38
(i) (ii) & 41 of the Bihar Prohibition and Excise Act, 2016.

9 liters of foreign liquor is said to have been
recovered from the Baithaka of the petitioners.

It is submitted by learned counsel for the petitioners
that no incriminating article has been recovered from the
conscious physical possession of the petitioners. They have no
concern either with the seized liquor or any trade of liquor.
They have been falsely implicated in this case at the instance of
their enemy. They were not apprehended on the spot. There is
nothing on record to indicate the complicity of the petitioners



barring the confessional statement of the apprehended person which has no evidentiary value in the eye of law.

Petitioners are agreed to deposit a sum of Rs.2000.00 (Rupees Two Thousand) in the PM Cares fund, bearing Account No.2121PM20202, IFSC Code: SBIN 0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID : pmcares@sbi.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.D.J.-II-cum-Special Judge Excise Act, Sitamarhi in connection with Runnisaidpur P.S. Case No.400 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

The bail bond of the petitioners shall be accepted by the learned Court below on showing receipt of deposit of Rs.2000.00 (Rupees Two Thousand) in the PM Cares fund.

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(Anjani Kumar Sharan, J)

