

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10984 of 2020

Arising Out of PS. Case No.-6 Year-2019 Thana- BHAGWANPUR District- Vaishali

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KAMLESHWAR RAI Son of Horil Rai Resident of Village - Bahlolpur, P.S.-
Bhagwanpur, District- Vaishali. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subodh Kumar

For the Opposite Party/s : Mr. Arun Kumar

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

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 30 (a) of
the Bihar Prohibition and Excise Act, 2016.

317.670 liters of foreign liquor is said to have
been recovered from the hut of Masudan Mahto @ Maksudan
Mahto.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious physical possession of the petitioner. He has no
concern either with the seized liquor or the place of recovery or
any trade of liquor. He has been falsely implicated in this case
at the instance of his enemy. He was not apprehended on the
spot. There is nothing on record to indicate the complicity of the
petitioner barring the confessional statement of the apprehended



person which has no evidentiary value in the eye of law.

Petitioner has no criminal antecedent.

Petitioner is agreed to deposit a sum of Rs.20,000.00 (Rupees Twenty 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 petitioner, be released on bail, in the event of his 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) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge Excise, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No.06 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.20,000.00 (Rupees Twenty Thousand) in the PM Cares fund.

(Anjani Kumar Sharan, J)

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