

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18423 of 2020

Arising Out of PS. Case No.-20 Year-2020 Thana- BATHNAHA District- Sitamarhi

1. CHANDAN KUMAR @ CHANDAN KUMAR SHARMA, Son of Late Ajay Sharma, Resident of Village - Balaha Mushahari, Ward No. 4, P.S.- Parsauni, District – Sitamarhi.
2. Rakesh Choudhary, Son of Late Chandeshwar Chaudhary, Resident of Village - Parsauni, P.S.- Parsauni, District – Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha
For the Opposite Party/s : Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-05-2020 This has been posted before me for hearing through video-conferencing, under the orders of Hon'ble the Chief Justice, in view of Nation passing through lockdown as an aftermath of the outbreak of COVID-19 pandemic.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in a case registered for the offence punishable under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

It is submitted by learned counsel for the petitioners that there is no recovery from the conscious possession of the petitioners. There is recovery of 45 liters of Nepali Saufi wine



from the motorcycle and the motorcycle does not belong to the petitioners. They have been languishing in jail custody since 29.01.2020. The petitioners have got no criminal antecedent.

Learned APP for the State opposed the bail petition.

Petitioners are agreed to deposit a sum of Rs. 3000/- (Rupees Three Thousand) each 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.

Considering the facts aforesaid, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Sitamarhi, in connection with Bathnaha P.S. Case No. 20 of 2020.

The bail bounds of the petitioners shall be accepted by the learned Court below on showing receipt of deposit of Rs.3,000/- (Rupees Three Thousand) each in the PM Cares fund.

Since there is a lockdown, the Court has considered it appropriate to adopt the following procedures for communication of the present order:-



(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be signed by me digitally and transmitted through my e-mail I.D. to Secretary for needful, which shall be treated to be authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order signed by me, shall be preserved in my residential office for documentation and for future use, if any.

(Anjani Kumar Sharan, J)

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