

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22616 of 2020**

Arising Out of PS. Case No.-31 Year-2020 Thana- MINAPUR District- Muzaffarpur

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RAMESH KUMAR S/o Vishwanath Prasad @ Bijali Prasad, Resident of  
Village-Mustafaganj, P.S-Minapur, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Anand Kishore Chaudhary

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      07-10-2020                      Heard learned counsel for the petitioner and learned  
APP for the State through virtual court proceedings.

Since the physical court proceeding is non-functional,  
due to present pandemic, COVID-19, the matter is listed with  
defects.

Learned counsel for the petitioner undertakes to  
remove the defects as pointed out by the office within three  
weeks of normal functioning of the court, failing which the  
office is directed to place the matter before the Bench.

The petitioner is apprehending his arrest in a case  
registered for the offence punishable under Sections 272, 273 of  
the Indian Penal Code and 30 (a), 41(i) of the Bihar Prohibition  
and Excise Act.

Prosecution case in short is that during course of



evening patrolling with other police officials at Ali Neora Chowk the informant saw one Maruti car coming from the opposite side and it is further alleged that having a look of the police party altogether three persons started fleeing away after getting down from the above stated Maruti car and all of them succeeded in fleeing even after chase by the police.

Learned counsel for the petitioner that the petitioner is innocent and has falsely been implicated in this case due to dirty village politics. He further submits that his name has transpired on the basis of identification being made by the local Chawkidar. There is no recovery from the conscious possession of the petitioner. There is recovery of total 6.750 liters of English wine from the Maruti car and the said Maruti Car does not belong to the petitioner. The petitioner has got no criminal antecedent.

Learned APP for the State opposes the bail petition.

Petitioner is agreed to deposit a sum of Rs. 5,000/- (Rupees Five Thousand) in the Chief Minister Relief Fund, Bihar, bearing Account No.2065104000002257, IFSC IBKL0002065, IDBI Bank, Kidwaipuri Branch, Patna.

In the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or



surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Muzaffarpur in connection with Minapur P. S. Case No. 31/2020, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs. 5,000/- (Rupees Five Thousand) in the Chief Minister Relief Fund.

**(Anjani Kumar Sharan, J)**

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