

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24152 of 2020

Arising Out of PS. Case No.-30 Year-2020 Thana- AANDAR District- Siwan

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YOGENDRA SAH @ YOGENDRA GUPTA Son of Ramaji Sah @ Ramji
Teli Resident of Village-Banthu Salona, Police Station-Andar, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate.

For the Opposite Party/s : Mr. Satyanarayan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-10-2020 Heard learned counsel for the petitioner and learned
A.P.P. 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 within three weeks of resumption of physical
court proceeding. In the eventuality of non-removal of defects
within undertaken period, the office will place the matter before
the Bench.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 272 &
273 of the Indian Penal Code and Section 30 (a) of the Bihar
Prohibition and Excise Act, 2016.



45 liters of foreign liquor is said to have been recovered from the thatched house of the petitioner which was kept underground in a plastic bag.

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 by planting the aforesaid recovery. The thatched house in question is open one and easily accessible to anyone. Petitioner has no criminal antecedent.

Petitioner is agreed to deposit a sum of Rs.10,000.00 (Rupees Ten Thousand) in the Chief Minister's Relief Fund, Bihar, bearing Account No.2065104000002257, IFSC IBKL0002065, IDBI Bank, Kidwaipuri Branch, Patna.

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, Siwan



in connection with Andar P.S. Case No. 30 of 2020, 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.10,000.00 (Rupees Ten Thousand) in the Chief Minister's
Relief Fund.

(Anjani Kumar Sharan, J)

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