

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24080 of 2020

Arising Out of PS. Case No.-86 Year-2020 Thana- MASHRAK District- Saran

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ASHOK CHAUDHARY @ ASHOK CHOUDHARI, Son of Late Ram Nath Chaudhary, Resident of village Sikti Bhikham, P.S. - Mashrakh District - Saran at Chhapra.

... .. 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.Rajendra Nath Jha

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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 30, 30(a) /37 (c)/38/41 of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner that there is no recovery from the conscious possession of the petitioner. There is recovery of total 10 liters of country made near the house of the



petitioner. The petitioner has got no criminal antecedent which is mentioned in para 3 of the bail petition.

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 2nd Addl. Sessions Judge cum Special Judge (Excise), Saran at Chapra, in connection with Mashrakh P. S. Case No. 86/2020, 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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