

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24700 of 2020

Arising Out of PS. Case No.-45 Year-2020 Thana- HAZIPUR INDUSTRIAL District-
Vaishali

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ANUJ KUMAR Son of Sumera Singh Resident of Village - Dharmpur,
Saidpur Ganesh, P.S. - Bidupur, District- Vaishali at Hajipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Baxi S. R.P. Sinha Sr. Adv. with Mr. Anish
Chandra, Adv.

For the Opposite Party/s : Mr. Tarkeshwar Sharma APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 24-09-2020 As of now, the Courts have not resumed normal physical
hearing. The matter has been listed today for consideration
through Video Conferencing.

Learned counsel are appearing and making submissions
from their residence. The Court master and Secretary are also
part of this virtual Court proceedings with the aid of audio
visual technology.

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

Learned counsel for the petitioner is expected to honor his
undertaking given in the instant case for depositing the requisite
court fee and to remove the defects as pointed out by office
when called upon.



The petitioner seeks bail in Hazipur Industrial Area P.S. Case no. 45 of 2020 instituted for the offence under Section(s) 30(a) of the Bihar Prohibition and Excise Act, 2016 and Sections 25(1-b)a, 26 and 36 of the Arms Act.

Two persons riding in a car were stopped by the informant along with police party. Both have started fleeing away. One persons (petitioner) has been apprehended. One country made loaded pistol from the petitioner's possession and 20 liters country made liquor was allegedly recovered from the boot of the car.

It is submitted by the learned senior counsel that falsity of the allegation is evident from the fact that the petitioner was arrested on 25.4.2020. However, the information has been reached to the court on 27.4.2020. It is submitted that it is a case of false implication. The petitioner bears a clean past and the vehicle in-question did not belong to the petitioner.

The petitioner is in custody since 27.04.2020.

The learned APP has opposed the prayer for bail.

Considering the aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge II cum



Excise Act Vaishali, Hazipur, in connection with Hazipur Industrial Area P.S. Case no. 45 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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