

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24567 of 2020

Arising Out of PS. Case No.-110 Year-2020 Thana- RIGA District- Sitamarhi

Manoj Kumar, Male, aged about 24 years, Son of Bhaglu Mahto, Resident of Village-Ramnagar, Riga Tole, Police Station-Riga, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Advocate
For the State : Mr.Uma Nath Mishra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-09-2020 Heard the parties through the virtual court proceeding.

Since physical court proceeding is not functioning due to present Pandemic Covid-19, the matter is listed with defect.

Learned counsel for the petitioner undertakes to remove the defect within three weeks of normal functioning of the court after the lockdown, failing which the office is directed to place the matter before the Bench.

The petitioner seeks bail in connection with Riga P.S. Case No. 110 of 2020 registered for the offence punishable under Section 30(K) of the Bihar Prohibition & Excise Act, 2016.

The prosecution case is that the informant received a secret information that F.I.R. named accused persons bring illicit wine from Nepal country and selling it in the mango orchard of



Gandhi jee. It is further alleged that after receiving such information informed along with arme force proceeded from police station for such verification and when the informant along with armed force reached at the Mango orchard of Gandhi jee and saw that four persons sitting in the said orchard and after seeing the police force, all of them started by the armed force and other persons succeeded to fled away in the meantime nearby persons assembled there and presence of witnesses the arrested person disclosed his name as Manoj Kumar (petitioner).

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. He further submits that there is no recovery from the conscious possession of the petitioner nor from the house of the petitioner rather 135 liters of illegal Nepali wine has been recovered from the mango orchard. He further submits that the petitioner is in jail custody since 01.05.2020 and petitioner has got no any criminal antecedent mentioned in paragraph-3 of the bail petition.

Learned A.P.P. for the State opposed the bail petition.

Petitioner is agreed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand) in the CM Relief Fund, bearing Account



No.2065104000002257, IFSC Code: IBKL0002065, Bank – IDBI, Branch – Kidwaipuri, Patna.

In the facts and circumstances of the case, let the above named petitioner be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) only with two sureties of the like amount each to the satisfaction of learned A.D.J.II Cum Special Judge, Excise Act, Sitamarhi in connection with Riga P.S. Case No. 110 of 2020.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.10,000/- (Rupees Ten Thousand) in the CM Relief Fund.

(Anjani Kumar Sharan, J)

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