

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24552 of 2020

Arising Out of PS. Case No.-186 Year-2020 Thana- KADAMKUAN District- Patna

Birju Kumar, aged about 40 years, Male, S/o Umesh Prasad, R/o Village-
Barar (Belabara), P.S.- Punpun, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Dhaneshwar Prasad Gupta, Advocate
For the State	:	Mr.Ram Anurag Singh, 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 Special Case No.3441 of 2020 arising out of Kaamkuan P.S. Case No. 186 of 2020 registered for the offences punishable under Sections 120B, 420 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Amendment Act.

Learned counsel for the petitioner submits that there is no recovery from the conscious possession of the petitioner rather 1783.5 liters of foreign liquor has been recovered from the petrol tanker. He further submits that similarly situated co-accused has been granted by a Co-ordinate Bench of this Court. Petitioner is in jail custody since 11.05.2020 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.30,000/- (Rupees Thirty 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 Special Judge, Excise, Patna in connection with Special Case No.3441 of 2020 arising out of Kadamkuan P.S. Case No. 186 of 2020.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.30,000/- (Rupees Thirty Thousand) in the CM Relief Fund.

(Anjani Kumar Sharan, J)

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