

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24057 of 2020

Arising Out of PS. Case No.-12 Year-2017 Thana- BACHHWARA District- Begusarai

BALGOVIND RAI @ GOVIND KUMAR Son of Upendra Rai Resident of
Village - Near R.B. College, Dhepura, P.S.- Dalsing Sarai, District -
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prem Prakash Poddar, Advocate.

For the Opposite Party/s : Mrs. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 13-11-2020 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, as pointed out by the office, 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 Section 30 (a) of
the Bihar Prohibition and Excise Act, 2016.



133.2 liters of foreign liquor is said to have been recovered from a barren land behind the Chiranjeevipur Cold Store.

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. There is no nothing on record to indicate the complicity of the petitioner barring the confessional statement of the apprehended co-accused Anil Kumar which has no evidentiary value in the eye of law.

Petitioner is agreed to deposit a sum of Rs.15,000.00 (Rupees Fifteen 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 Act, Begusarai in connection with Bachhawara P.S. Case No. 12 of 2017, 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.15,000.00 (Rupees Fifteen Thousand) in the Chief Minister's Relief Fund.

(Anjani Kumar Sharan, J)

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