

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24561 of 2020

Arising Out of PS. Case No.-104 Year-2020 Thana- KHAJEKALA District- Patna

Abhishek Kumar, aged about 25 years, S/o- Rambali Rai @ Ramwali Rai,
Resident of Shish Mahal, Hamampur, P.S.- Khajekala, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harish Kumar, Advocate

For the State : Mr.Suresh Prasad 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.2529 of 2020 arising out of Khajekala P.S. Case No. 104 of 2020 registered for the offences punishable under Sections 30(a), 37(b)(c), 38 and 41 of the Bihar Prohibition & Excise Act, 2016.

On alleged date and time, when the informant reached the alleged place, on a secret information regarding illegal sale



of liquor, total 172.8 liters of country made wine and an Apache Motorcycle were allegedly recovered from the alleged place and F.I.R. named persons tried to flee away but were caught on chase who were found having taken wine in the manner set out in F.I.R.

Learned counsel for the petitioner submits that the petitioner is in jail custody since 10.02.2020 and petitioner has no criminal antecedent. There is no recovery from the conscious possession of the petitioner. He further submits that the petitioner has no concern either with the alleged recovered/ seized wine vide total 172.8 liters of country made liquor or with the seized Apache motorcycle.

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 Special Judge, Excise, Patna in connection with Special Case



No.2529 of 2020 arising out of Khajekala P.S. Case No. 104 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)

Nasimul/-

U		T	
---	--	---	--

