

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23730 of 2020

Arising Out of PS. Case No.-61 Year-2020 Thana- PIYAR District- Muzaffarpur

Ashish Johar @ Ashish Jauhari @ Ashish Kumar, Male, aged about 36 years,
Son of Sushil Kumar Saxena, Resident of 98, Chhapaiti, Police Station -
Anupshahr, District - Buland Shahar, Uttar Pradesh.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-09-2020 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 Piyar P.S.
Case No. 61 of 2020 registered for the offences punishable
under Sections 272, 273 and 120B of the Indian Penal Code and
Sections 30(a), 36 and 41 of the Bihar Prohibition & Excise Act,
2016.

Learned counsel for the petitioner submits that on
search, 3762 liters of foreign liquor has been recovered from the
truck of the petitioner and petitioner is said to be the driver of
the said truck. He further submits that there is no recovery from



the cabin of the truck driver and petitioner has no any criminal antecedent. He further submits that the petitioner is in jail custody since 05.03.2020.

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

Petitioner is agreed to deposit a sum of Rs.1,00,000/- (Rupees One Lac) 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, Muzaffarpur in connection with Piya P.S. Case No. 61 of 2020.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.1,00,000/- (Rupees One Lac) in the CM Relief Fund.

(Anjani Kumar Sharan, J)

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