

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 24500 of 2020**

Arising Out of PS. Case No.-38 Year-2020 Thana- KESARIA District- East Champaran

ANIL KUMAR Son of Mohan Rai Resident of Village - Badatola Benipur,
P.S.- Kesariya, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Dr. Mritunjay Kumar Gautam

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 22-09-2020 Heard learned counsel for the petitioner and learned
APP for the State through video-conferencing. .

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 seeks bail in a case registered for the
offence punishable under Sections 272 & 273 of the Indian
Penal Code and Section 30 (a) of the Bihar Prohibition and
Excise Act, 2016.



Acting on a tip-off, when the police raided the house of the petitioner, 36.500 liters of raw spirit is said to have been recovered behind the house of the petitioner and the petitioner managed to escape.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has no concern either with the seized spirit or any trade of spirit. He has been falsely implicated in this case at the instance of his enemies. No incriminating article has been recovered from the conscious physical possession of the petitioner. He has no criminal antecedent and has been languishing in custody since 18.06.2020.

Petitioner is agreed to deposit a sum of Rs.5000.00 (Rupees Five Thousand) in the Chief Minister's Relief Fund, Bihar, bearing Account No.2065104000002257, IFSC IBKL0002065, IDBI Bank, Kidwaipuri Branch, Patna..

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned 7th Additional Sessions Judge-II-cum-Special Judge Excise, East Champaran at Motihari in connection with Kesariya P.S. Case



No. 38 of 2020.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.5000.00 (Rupees Five Thousand) in the Chief Minister's Relief Fund, Bihar.

(Anjani Kumar Sharan, J)

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