

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23723 of 2020

Arising Out of PS. Case No.-90 Year-2020 Thana- SONBERSA District- Sitamarhi

RAJIV KUMAR PASWAN Son of Abbu Paswan @ Habu Paswan Resident
of Village-Amghatta Bhagwanpur, P.S.-Sitamarhi, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar

For the Opposite Party/s : Mr. Nityanand Tiwari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-09-2020

This case has been heard through video-conferencing.

Heard learned counsel for the petitioner and learned
APP for the State.

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 & 414 of the Indian
Penal Code and Sectio 30(a) of the Bihar Prohibition and Excise



Act, 2016.

Acting on a tip-off, 381 liters of Nepali liquor is said to have been recovered from a car by the police and the petitioner along with other co-accused was apprehended.

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 liquor or the car in question or any trade of liquor. No incriminating article has been recovered from the conscious physical possession of the petitioner. He has been falsely implicated in this case by the police. As a matter of fact, the petitioner had taken a lift from the driver of the car without knowing the fact that the car is carrying illegal liquor. He has no criminal antecedent and has been languishing in custody since 10.05.2020.

Petitioner is agreed to deposit a sum of Rs.15,000.00 (Rupees Fifteen Thousand) in the Chief Minister 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



Additional District Judge-II, Sitamarhi in connection with
Sonbarsa P.S. Case No.90 of 2020.

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
Relief Fund, Bihar.

(Anjani Kumar Sharan, J)

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