

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24179 of 2020

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

GANESH PANDIT Son of Mohan Pandit Resident of Village - Mahna, P.S.-
Motipur, District – Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-10-2020 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 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), 41
(1) (2) of the Bihar Prohibition and Excise Act, 2016.

Acting on a tip-off when the police party reached



near the house of the petitioner, 3.600 liters of foreign liquor is said to have been recovered from a white bag thrown by the petitioner in course of escaping.

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. The place of recovery of is an open place and easily accessible to anyone. Petitioner has no criminal antecedent.

Petitioner is agreed to deposit a sum of Rs.5,000.00 (Rupees Five 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 Special Judge Excise, Muzaffarpur in connection with Motipur



P.S. Case No. 61 of 2020, 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.5,000.00 (Rupees Five Thousand) in the Chief Minister's
Relief Fund.

(Anjani Kumar Sharan, J)

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