

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23717 of 2020

Arising Out of PS. Case No.-28 Year-2020 Thana- KATRA District- Muzaffarpur

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FAGUNI MAHTO Son of Kailoo Mahto Resident of Village- Dhanaur, P.S.-
Katra, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan

For the Opposite Party/s : Mr. Laxmi Kant Sharma

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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 Section 272 & 273 of the Indian Penal
Code and Section 30(a) of the Bihar Prohibition and Excise Act,



2016.

138 liters of foreign liquor is said to have been recovered from the field of Vijay Kumar Singh and the petitioner along with other accused persons 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 liquor or the field in question or any trade of liquor. He has been falsely implicated in this case by the police at the instance of his enemy. No incriminating article has been recovered from the conscious physical possession of the petitioner. Petitioner was not apprehended at the spot. He has no connection with the co-accused. He has been languishing in custody since 23.05.2020.

Petitioner is agreed to deposit a sum of Rs.15,000.00 (Rupees Fifteen 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 Special Judge, Excise Act, Muzaffarpur in connection with



Katra P.S. Case No. 28 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's Relief Fund, Bihar.

(Anjani Kumar Sharan, J)

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