

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27799 of 2020

Arising Out of PS. Case No.-221 Year-2020 Thana- FORBESGANJ District- Araria

Md. Iltaf, aged about 30 years, Gender- Male, S/o Mohammad Isha, Resident of Village-Rampur South, Ward No.11, P.S-Forbisganj, District-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nishant Kumar Sinha, Advocate
For the State : Mr.Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-11-2020 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.

Heard the parties through virtual court proceeding.

The petitioner seeks bail in connection with Special Case No. 334 of 2020 arising out of Forbisganj P.S. Case No.221 of 2020 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that there is no recovery from the conscious possession of the petitioner rather 882 liters of Nepali liquor has been recovered from the



Car. Learned counsel for the petitioner further submits that the petitioner is the driver of the said vehicle. Learned counsel for the petitioner further submits that the said vehicle does not belong to the petitioner. He further submits that the petitioner is in jail custody since 13.03.2020, but by mistake in paragraph-12 of the bail petition, he has mentioned that the petitioner is in jail custody since 25.09.2019. Learned counsel for the petitioner further submits that the petitioner has got no any criminal antecedent mentioned in paragraph-3 of the bail petition.

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

Petitioner is agreed to deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand) 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 2nd Additional Sessions Judge-cum-Special Judge, Araria in connection with Special Case No.334 of 2020 arising out of Forbisganj P.S. Case No.221 of 2020.

The bail bond of the petitioner shall be accepted by



the learned Court below on showing receipt of deposit of Rs.25,000/- (Rupees Twenty Five Thousand) in the CM Relief Fund.

(Anjani Kumar Sharan, J)

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