

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24249 of 2020

Arising Out of PS. Case No.-109 Year-2020 Thana- MOHANIYA District- Kaimur (Bhabua)

1. BANSI NARAYAN SAH Son of Dina Sah
2. Abhishek Sah @ Abhishek Kumar Son of Bansi Narayan Sah Resident of Village- Muthani, P.S.- Mohania, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Adv.

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-10-2020 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor 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 petitioners 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 petitioners are apprehending their arrest in a case
registered for the offence punishable under Section 30 (a) of the
Bihar Prohibition and Excise Act, 2016.



Learned counsel for the petitioners submits that there is no recovery from the conscious possession of the petitioners rather 10.8 liters of country made liquor has been recovered from co-accused. He submits that petitioners have been made accused in this case on the basis confessional statement of co-accused. He further submits that petitioners have no criminal antecedent as stated in para-3 of the bail petition.

Petitioners are agreed to deposit a sum of Rs.2,000.00 (Rupees Two Thousand) each in the Chief Minister Relief Fund, Bihar, bearing Account No.2065104000002257, IFSC IBKL0002065, IDBI Bank, Kidwaipuri Branch, Patna.

In the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, Vth-cum-Special Judge, Excise Act, Kaimur at Bhabua in connection with Mohania Police Station Case No. 109 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



The bail bond of the petitioners shall be accepted by the learned Court below on showing receipt of deposit of Rs.2,000.00 (Rupees Two Thousand) each in the Chief Minister Relief fund.

(Anjani Kumar Sharan, J)

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