

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24504 of 2020

Arising Out of PS. Case No.-234 Year-2020 Thana- SUGAULI District- East Champaran

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MOHAN CHAUDHARY Son of Brahmdev Chaudhary Resident of Village -
Sugauli Amirawa Tola, P.S.- Sugauli, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Rana Randhir Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-09-2020 Heard learned counsel for the petitioner and learned
APP for the State through video-conferencing. .

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 30 (a) of the Bihar Prohibition
and Excise Act, 2016.

Acting on a tip-off, when the police reached at village



Nauwadih on seeing the police force some persons managed to escape, on search 60 liters of country made liquor, three gas cylinders and three bicycles are said to have been recovered.

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 place of recovery or any trade liquor. He has been falsely implicated in this case due to dirty village police. No incriminating article has been recovered from the conscious physical possession of the petitioner. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is violation of Section 100 (4) Cr.P.C. He has no criminal antecedent and has been languishing in custody since 08.06.2020.

Petitioner is agreed to deposit a sum of Rs.5000.00 (Rupees Five 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 7th Additional Sessions Judge-II-cum-Special Judge Excise, East



Champaran at Motihari in connection with Sugauli P.S. Case
No. 234 of 2020.

The bail bond of the petitioner shall be accepted by
the learned Court below on showing receipt of deposit of
Rs.5000.00 (Rupees Five Thousand) in the Chief Minister's
Relief Fund, Bihar.

(Anjani Kumar Sharan, J)

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