

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30205 of 2020**

Arising Out of PS. Case No.-706 Year-2018 Thana- CHAPRA TOWN District- Saran

GOVINDA MAHATO @ GANESH MAHATO Son of Butan Mahato
Resident of Village - Roopganj Adda no 2, P.S.- Chapra Town, Distt.- Saran at
Chapra.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Pratap Singh, Advocate.

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

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 25-11-2020 Heard learned counsel for the petitioner and learned
APP 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, as pointed out by the office, within three
weeks of resumption of physical court proceedings. 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.



120 liters of country made liquor is said to have been recovered from an auto rickshaw and two persons were apprehended by the police while one managed to escape and the apprehended persons disclosed the name of the petitioner as one of their fleeing accomplices.

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 auto-rickshaw or any trade of liquor. He has been falsely implicated in this case by the apprehended persons due to previous enmity. 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. He has no criminal antecedent and has been languishing in custody since 13.06.2020.

Petitioner is agreed to deposit a sum of Rs.10,000.00 (Rupees Ten 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 Additional Sessions Judge-II-cum-Special Judge Excise, Saran at Chapra in connection with Chapra Nagar P.S. Case No. 706 of 2018.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.10,000.00 (Rupees Ten Thousand) in the Chief Minister's Relief Fund, Bihar.

(Anjani Kumar Sharan, J)

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