

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30178 of 2020

Arising Out of PS. Case No.-67 Year-2020 Thana- MAJORGANJ District- Sitamarhi

1. Chunnu Raut, aged about 30 years, Male, S/o Kalewar Raut
2. Ram Pratap Sahni, aged about 28 years, S/o Jindar Sahni @ Rajendra Sahni, both resident of Village-Rampat Pakari, P.S.-Majorganj, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Devendra Kumar, Advocate
For the State	:	Mr.Ajit Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-11-2020 Heard the parties through the virtual court proceeding.

Since physical court proceeding is not functioning due to present Pandemic Covid-19, the matter is listed with defect.

Learned counsel for the petitioners 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.

The petitioners seek bail in connection with Majorganj P.S. Case No.67 of 2019 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioners submits that there is no recovery from the conscious possession of the petitioners



rather 555.300 liters of Nepali Saufi wine has been recovered from two vehicles mentioned in the F.I.R. No illegal wine has been recovered from the conscious possession of the petitioners, whereas recovery was made from Maruti Suzuki Car and Scorpio that vehicle does not belong to the petitioners. He further submits that the petitioners have nothing to do with the alleged illegal liquor. The petitioners' implication in this case are nothing but the high-handedness of the police concerned at the instance of the enemies of the petitioners. He further submits that the petitioners are labour. They are unloading the said wine from vehicle. The petitioners are in jail custody since 11.05.2020 and petitioners have got no any criminal antecedent.

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

Petitioners are agreed to deposit a sum of Rs.5,000/- (Rupees Five Thousand) each 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 petitioners be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) each only with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise,



Sitamarhi in connection with Majorganj P.S. Case No.67 of 2020.

The bail bond of the petitioners shall be accepted by the learned Court below on showing receipt of deposit of Rs.5,000/- (Rupees Five Thousand) each in the CM Relief Fund.

(Anjani Kumar Sharan, J)

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