

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30223 of 2020

Arising Out of PS. Case No.-35 Year-2020 Thana- BISHWAMBHARPUR District-
Gopalganj

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NOOR MOHAMMAD S/o Dhuri Miyan R/o Vill.-Daunaha, P.S.-Dhanahan,
Distt.-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate.
For the Opposite Party/s : Mr. Binod Kumar No.2, APP

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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 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.



244.080 liters of foreign liquor is said to have been recovered from a four wheeler and the petitioner was apprehended while the other co-accused managed to escape.

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 vehicle in question or any trade of liquor. He has been falsely implicated in this case by the police as some altercation took place with him due to non coughing up of illegal graft demanded by them. No incriminating article has been recovered from the conscious physical possession of the petitioner. As a matter of fact, the seized vehicle belongs to co-accused Arman Ansari who managed to escape from the place of occurrence. 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 12.03.2020.

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, Gopalganj in connection with Vishambharpur P.S. Case No. 35 of 2020.

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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