

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30236 of 2020

Arising Out of PS. Case No.-259 Year-2020 Thana- SAKRA District- Muzaffarpur

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YOGESH KUMAR S/o Anil Kumar Rai Resident of Village-Lautan, P.S.-
Sakra, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate.

For the Opposite Party/s : Mr. Dilip Kumar No.1, 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.

183.6 liters of foreign liquor is said to have been



recovered besides a Pipal tree.

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 of liquor. He has been falsely implicated in this case due to 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. The place of recovery is an open place and easily accessible to anyone. He has no criminal antecedent and has been languishing in custody since 26.06.2020.

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 Special Judge, Excise Act, Muzaffarpur in connection with Sakra P.S. Case No. 259 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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