

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27542 of 2020

Arising Out of PS. Case No.-305 Year-2020 Thana- BARAUNI District- Begusarai

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RUPESH KUMAR @ TENI Son of Late Abhinandan Singh, Resident of
Village- Harpur Gachhi tola, P.S.- Barauni (Refinery), District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma

For the Opposite Party/s : Mr.Ramsewak Chaudhary

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-10-2020 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 normal functioning of the court, failing which the
office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 30 (a) and 40 (i) (2) of the
Bihar Prohibition and Excise Act, 2018.

Allegation against the petitioner is of selling and
purchasing the illegal wine.



Learned counsel for the petitioner that there is no recovery from the conscious possession of the petitioner. There is recovery of Total 92.880 liters of foreign liquor from the house of the petitioner and the house is joint family property. He further submits that the petitioner has been made accused in this case on the basis of information given by the S.H.O. of Teghra P. S. who was intentionally dragged the petitioner in this case when the petitioner was not fulfilled his illegal demand. The petitioner is in jail custody since 18.08.2020.

Learned APP for the State opposed the prayer for bail petition.

Petitioner is agreed to deposit a sum of Rs. 15,000/- (Rupees Fifteen Thousand) in the Chief Minister Relief Fund, Bihar, bearing Account No.2065104000002257, IFSC IBKL0002065, IDBI Bank, Kidwaipuri Branch, Patna.

Considering the aforesaid facts and circumstances of the case, 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 2nd Addl. Sessions Judge cum Special Judge, Excise Act, Begusarai in connection with Barauni (Refinery) P. S. Case No. 305/2020.



The bail bond of the petitioner shall be accepted by
the learned Court below on showing receipt of deposit of Rs.
15,000/ (Rupees Fifteen Thousand) in the Chief Minister Relief
Fund.

(Anjani Kumar Sharan, J)

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