

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35141 of 2020

Arising Out of PS. Case No.-363 Year-2020 Thana- BARHARA District- Bhojpur

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RAMESHWAR PASWAN, Son of Late Suryu Paswan, Resident of Village -
Eqbana, P.S.- Barhara, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shiv Prasad Gupta
For the Opposite Party/s : Mr.Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-12-2020 Learned counsel for the petitioner submits that in paragraph no. 01 of the bail application Excise Case No. 1136/2020 has wrongly been mentioned as Excise Case No. 1136/2029 and in the prayer portion of the bail application Barhara P.S. has wrongly been mentioned as Sahapur P.S. Hence, he seeks permission for making necessary correction in bail application.

Permission is granted.

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 Section 30 (a) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that there is no recovery from the conscious possession of the petitioner. There is recovery of total 173.445 liters of foreign liquor from the open field. The petitioner is in jail custody since 24.08.2020. The petitioner has got no criminal antecedent which is mentioned in para 3 of the bail petition.

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

Petitioner is agreed to deposit a sum of Rs. 15,000/- (Rupees Fifteen Thousand) in the PM Cares Fund, bearing Account No.2121PM20202, IFSC Code: SBIN 0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID : pmcares@sbi.

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 4th Additional District and Sessions Judge cum Special Judge Excise Act, Bhojpur at Ara in connection with Barhara P. S. Case No. 363/2020, Excise Case No. 1136/2020.

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 PM Cares fund.

(Anjani Kumar Sharan, J)

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