

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35213 of 2020**

Arising Out of PS. Case No.-265 Year-2020 Thana- KUCHAIKOTE District- Gopalganj

VIKASH KUMAR S/O SHEOJEE PRASAD VILLAGE SHREE
RAMNAGER, WARD NO. -26, P.S. NAGAR GOPALGANJ DISTRICT
GOPALGANJ.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushil Kumar, Adv.

For the Opposite Party/s : Dr. Indihar Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 23-12-2020 Learned counsel for the petitioner submits that in para-6 of the bail application 20.625 litres of illegal wine has been typed instead of 45 liters of wine.

Hence, learned counsel for the petitioner is permitted to make necessary correction in the petition within a period of two weeks of resumption of court proceeding in physical mode.

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 undertake to remove the defects 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.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioner rather 45 liters of illegal wine is said to have been recovered from the motorcycle of the petitioner. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application and he is languishing in judicial custody since 15.07.2020.

Petitioner is agreed to deposit a sum of Rs. 6000.00 (Rupees Six 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.

In the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties



of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-II, Gopalganj in connection with Kuchaikote P.S. Case No. 265 of 2020.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.6000.00 (Rupees Six Thousand) in the PM Cares Fund.

(Anjani Kumar Sharan, J)

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