

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35211 of 2020

Arising Out of PS. Case No.-685 Year-2020 Thana- ARARIA District- Araria

MD. IMTIYAZ ALAM @ MD. IMTIYAZ @ IMTIYAZ Son of Md. Sainul @
Sainul Resident of Village - Bagdara, Ward No. 10, P.S.- Jokihat, District -
Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Adv.
For the Opposite Party/s : Dr. Indivar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-12-2020 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 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 320 bottles each of 100ML codeine cough syrup is said to have been recovered from the vehicle. He submits that petitioner is the driver of the said vehicle. He was simply plying the vehicle at the instruction of his owner without knowing the material loaded on it. 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 28.08.2020.

Petitioner is agreed to deposit a sum of Rs. 5000.00 (Rupees Five 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 2nd Additional District and Sessions Judge, Araria in connection with Special Case No. 674 of 2020 arising out of Araria (B) P.S.



Case No. 685 of 2020.

The bail bond of the petitioner shall be accepted by
the learned Court below on showing receipt of deposit of
Rs.5000.00 (Rupees Five Thousand) in the PM Cares Fund.

(Anjani Kumar Sharan, J)

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