

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35020 of 2020

Arising Out of PS. Case No.-46 Year-2020 Thana- RISIYAP District- Aurangabad

Rakesh Kumar Singh @ Bholi, aged about 34 years, Male, son of Vishwanath Singh, Resident of Village- Karma Misir, P.S.- Risiup, District-Aurangabad, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarendra Kumar Singh, Advocate
For the State : Mr.Humayou Ahmad Khan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-12-2020 Heard the parties through the virtual court proceeding.

Since physical court proceeding is not functioning due to present Pandemic Covid-19, the matter is listed with defect.

Learned counsel for the petitioner undertakes to remove the defect within three weeks of normal functioning of the court after the lockdown, failing which the office is directed to place the matter before the Bench.

The petitioner seeks bail in connection with Risiup P.S. Case No. 46 of 2020/G.R. No.557 of 2020 registered for the offence punishable under Section 30(A) of the Bihar Prohibition and Excise Act, 2018.

Allegation against the petitioners is that 197.7 liters of country made liquor has been recovered from near the house of



the petitioner.

Learned counsel for the petitioner submits that there is no recovery from the conscious possession of the petitioners rather 197.7 liters of country made liquor has been recovered from near the house of the petitioner. Learned counsel for the petitioner further submits that the petitioner is innocent and has falsely been implicated in the present case. Learned counsel for the petitioner further submits that the petitioner is in jail custody since 26.08.2020.

Learned A.P.P. for the State opposed the bail petition.

Petitioner is agreed to deposit a sum of Rs.10,000/- (Rupees Ten 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 facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) only with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VII-cum-Special Judge. Excise, Aurangabad, Bihar in connection with Risiup P.S. Case No. 46 of 2020/ G.R. No.557 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/- (Rupees Ten Thousand) in the PM Cares fund.

(Anjani Kumar Sharan, J)

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