

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35193 of 2020**

Arising Out of PS. Case No.-28 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.  
District- Araria

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1. Saurav Kumar son of Sri Lal Bahadur Pal Resident of Village- Lokaha, P.S.- Supaul, District- Supaul.
  2. Abhishek Kumar son of Sri Suresh Prasad R/o village- Bhelwa, P.S.- Gamharia, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Amit Kumar Anand, Adv.

For the Opposite Party/s : Mr.Dinesh Singh, APP

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

2      23-12-2020                      Heard learned counsel for the petitioners 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 petitioners 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 petitioners seek 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 petitioners submits that petitioners are innocent and have been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioners rather 188.280 liters of foreign liquor is said to have been recovered from the Zylo car. He submits that petitioner no. 1 is the driver of the said car and petitioner no. 2 is the passenger. He further submits that petitioners have no criminal antecedent as stated in para-3 of the bail application and they are languishing in judicial custody since 10.09.2020.

Petitioners are agreed to deposit a sum of Rs. 8000.00 (Rupees Eight Thousand) each 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 petitioners, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned 2<sup>nd</sup> Additional Sessions Judge-Cum-Special Judge, Araria in connection with Special Excise Case No. 733 of 2020 arising



out of Sadar Anchal Excise Case No. 28 of 2020.

The bail bond of the petitioners shall be accepted by the learned Court below on showing receipt of deposit of Rs.8000.00 (Rupees Eight Thousand) each in the PM Cares Fund.

**(Anjani Kumar Sharan, J)**

devendra/-

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