

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20004 of 2021**

Arising Out of PS. Case No.-1048 Year-2020 Thana- BANKA District- Banka

SANJEEV CHOUDHURY Son of Om Prakash Choudhary Resident of  
Village- Barahat, P.S.- Barahat, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Dhananjay Kumar Pandey  
For the Opposite Party/s : Mrs. Anita Kumari Singh

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

2      02-07-2021                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State through virtual Court proceedings.

Learned counsel for the petitioner undertakes to  
remove the defects, as pointed out by the office, within four  
weeks of resumption of normal 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) & 32 (2) of the Bihar  
Prohibition and Excise Act, 2018.

3.375 liters of foreign liquor is said to have been  
recovered from the dickey of a motorcycle.

It is submitted by learned counsel for the petitioner  
that no incriminating article has been recovered from the



conscious physical possession of the petitioner. He has no concern either with the seized liquor or the place of recovery or any trade of liquor. He has been falsely implicated in this case at the instance of his enemy. Petitioner is not the owner of the motorcycle in question. Petitioner has no criminal antecedent and has been languishing in custody since 19.12.2020.

Petitioner is agreed to deposit a sum of Rs.5,000.00 (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.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released 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 Court below where the case is pending/successor Court in connection with Special Case No.789 of 2020, arising out of Banka (Barahat) P.S. Case No.1048 of 2020, subject to the following conditions:

(1) that one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to



inform the Court if there is any change in the address of the petitioner.

(2) that the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.5,000.00 (Rupees Five Thousand) in the PM Cares fund.

**(Anjani Kumar Sharan, J)**

Trivedi/-

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