

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24449 of 2021

Arising Out of PS. Case No.-124 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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UDAY SADA SON OF BHOGENDRA SADA R/O VILLAGE- BASUKI
BIHARI, P.S.- MADHWAPUR, DISTRICT- MADHUBANI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Devendra Kumar, Adv.
For the Opposite Party/s : Mr.Anant Kumar No.1, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-07-2021 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 connection with G.O. Case No.124 of 2020, registered for the offence punishable under Section 30(a) of the Bihar Prohibition of Excise Act.

It is alleged that the petitioner and co-accused were apprehended with 750 bottles of Nepali Saufi Wine of 300 ml each i.e. 225 liters while the same was being smuggled from



Nepal to India.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the F.I.R. He has been implicated in this case due to dirty village politics. It is further submitted 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. Petitioner has no criminal antecedent and has been languishing in custody since 27.12.2020.

Petitioner is agreed to deposit a sum of Rs. 10,000.00 (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.

Having regard to the facts and circumstances of 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 learned Additional Sessions Judge-cum-Special Judge- 2nd (Excise), Sitamarhi, Bihar, in connection with G.O. Case No.124 of 2020, with the following conditions:-



(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial, failing which, his bail bonds shall be liable to be cancelled by the learned court concerned.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.10,000.00 (Rupees Ten Thousand) in the PM Cares fund.

(Anjani Kumar Sharan, J)

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