

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37814 of 2021

Arising Out of PS. Case No.-41 Year-2019 Thana- DHANSOI District- Buxar

PINTU SINGH S/o Ram Prawesh Mahato @ Ram Pravesh Singh R/o village-
Padari, P.S.- Buxar (Industrial), District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-09-2021 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 Dhansoi P.S. Case No.41 of 2019, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

Altogether 1486.080 liters of foreign liquor has been recovered from a Truck while loading and unloading was being done. Petitioner is said to be a member of syndicate involved in



transportation of illegal liquor.

Learned counsel for the petitioner submits that petitioner is quite innocent and has not committed any offence as alleged in the FIR. No such occurrence has ever taken place. He has been falsely implicated in this case for ulterior motive, due to police mechanism and on instance of local inimical persons. Neither the petitioner has been apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession. He has no concern either with the seized liquor or any trade of liquor. Similarly situated co-accused has been granted anticipatory bail vide Cr. Misc. No.42149 of 2019 dated 02.09.2019 and Cr.Misc. No.74538 of 2019 dated 18.01.2020 by co-ordinate Benches of this Court. Petitioner has one criminal antecedent, as mentioned in para-3 of the bail application and has been languishing in custody since 06.04.2021.

Petitioner is agreed to deposit a sum of Rupees 25,000.00/- (Rupees Twenty 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 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 2nd cum Special Judge (Excise), Buxar, in connection with Dhansoi P.S. Case No.41 of 2019, 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.25,000.00/- (Rupees Twenty Five Thousand) in the PM Cares fund.

(Anjani Kumar Sharan, J)

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