

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29608 of 2020

Arising Out of PS. Case No.-250 Year-2019 Thana- SARAI District- Vaishali

SHAILESH RAI, S/o Motilal Rai, R/o Village- Kiratpur Rajaram, P.S.-
Bhagwanpur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar
For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-01-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Since the physical court proceeding is non-functional,
due to present pandemic, COVID-19, the matter is listed with
defects.

Learned counsel for the petitioner undertakes to
remove the defects as pointed out by the office within three
weeks of normal functioning of the court, failing which the
office is directed to place the matter before the Bench.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 414/34 of
the Indian Penal Code and 30 (a) of the Bihar Prohibition and
Excise Act, 2018.

It is submitted by learned counsel for the petitioner
that there is no recovery from the conscious possession of the



petitioner. There is recovery of total 203.4 liters of foreign liquor from the Bolero vehicle. During the investigation, it is transpired that the said vehicle belongs to the petitioner. The petitioner having clean criminal antecedent. The similarly situated co-accused have been granted anticipatory bail by the different Co-ordinate Benches of this court.

Learned APP for the State opposed the bail petition.

Petitioner is agreed to deposit a sum of Rs.25,000/- (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.

In the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge II cum Special Judge Excise Court, Vaishali at Hajipur in connection with CNR No. BRVA010029522020 arising out of Sarai P. S. Case No. 250/2019, subject to the conditions as laid



down under Section 438 (2) of the Code of Criminal Procedure.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.25,000/- (Rupees Twenty Five Thousand) in the PM Cares fund.

(Anjani Kumar Sharan, J)

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