

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4708 of 2021

Arising Out of PS. Case No.-289 Year-2020 Thana- MAIRWAN District- Siwan

1. RAKESH KUMAR Son of Jailal Rai @ Jailal Ray Resident of Village- Raghunathpur, P.S.- Paroo, Distt- Muzaffarpur.
2. DHARMENDRA KUMAR Son of Kishundev Rai Resident of Village- Dumariya, P.S.- Baruraj, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Jha
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 26-03-2021 Heard learned counsel for the petitioners and learned A.P.P. for the State through virtual court proceedings.

Learned counsel for the petitioners 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 petitioners seek bail in connection with Mairwa P.S. Case No. 289 of 2020 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

1143 liters of foreign liquor is said to have been



recovered from a D.C.M. truck. Petitioner No.1 is the driver and petitioner no.2 is the cleaner/helper of the said vehicle.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from the conscious physical possession of the petitioners. They have no concern either with the seized liquor or the place of recovery or any trade of liquor. They have been falsely implicated in this case due to extortion purposes. Petitioners have no criminal antecedent mentioned in para-3 of the present petition and have been languishing in custody since 20.09.2020.

Petitioners are agreed to deposit a sum of Rs. 20,000.00 (Rupees Twenty Thousand) each in the PM Cares fund, bearing Account No.2121PM20202, IFSC Code: SBIN0000691, 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 petitioners, be released on bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned court below, in connection with Mairwa P.S. Case No. 289 of 2020.



The bail bonds of the petitioners shall be accepted by the learned Court below on showing receipt of deposit of Rs.20,000.00 (Rupees Twenty Thousand) in the PM Cares fund.

(Anjani Kumar Sharan, J)

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