

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.612 of 2021

Arising Out of PS. Case No.-246 Year-2019 Thana- JANDAHA District- Vaishali

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MITHU RAI @ MITHU KUMAR RAI SON OF SRI GENA RAI
RESIDENT OF VILLAGE- MURTUZAPUR, P.S.- JANDAHA, DISTRICT-
VAISHALI.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate.
Mr. Udbhav, Advocate.

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-02-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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 414 of the Indian Penal Code and Section 30 (a), 38 (I) & 41 (i) of the Bihar Prohibition and Excise Act, 2018.

2969.64 liters of foreign liquor is said to have been recovered from the truck and pick-up van and the



petitioner managed to escape.

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 or the vehicles in question. He has been falsely implicated in this case at the instance of his enemy. Similarly situated co-accused, namely, Naresh Sahni has been enlarged on bail by a coordinate Bench of this Court in Cr. Misc. No.19974 of 2020 vide order dated 29.06.2020. Petitioner has been languishing in custody since 24.08.2020.

Petitioner is agreed to deposit a sum of Rs.75,000.00 (Rupees Seventy 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 learned Additional Sessions Judge-II-cum-Special Judge Excise, Vaishali at Hajipur in connection with



Jandaha P.S. Case No. 246 of 2019.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.75,000.00 (Rupees Seventy Five Thousand) in the PM Cares fund.

(Anjani Kumar Sharan, J)

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