

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.547 of 2021

Arising Out of PS. Case No.-115 Year-2020 Thana- FULKAHA District- Araria

SURAJ KUMAR DAS S/o PRAMOD DAS Resident of Village - Manikpur,
Ward No. 15, P.S. - Fulkaha, District -Araria. Petitioner/s

Versus

The State of Bihar. Opposite
Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-02-2021 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 30 (a) of the Bihar Prohibition and Excise Act, 2016.

126 liters of Nepali liquor is said to have been recovered from the possession of the petitioner.

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. There is violation of Section 100 Cr.P.C. He has been falsely implicated in this case by the police merely on suspicion while he was passing through the place of occurrence at the time of occurrence. Petitioner has been languishing in custody since 29.09.2020.

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 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, Araria in connection with Fulkaha P.S. Case No. 115 of 2020.

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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