

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.904 of 2021

Arising Out of PS. Case No.-36 Year-2020 Thana- SAHEBGANJ District- Muzaffarpur

VINAY JAISWAL @ ABHINAY KUMAR SON OF PREM CHAND
JAISWAL RESIDENT OF VILLAGE - PRATAP PATTI, MAHAVIR
ASTHAN, WARD NO. 9, POLICE STATION - SAHEBGANJ, DISTRICT -
MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Mishra

For the Opposite Party/s : Mrs. Sharda Kumari

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 Sections 272 & 273 of the Indian
Penal Code and Section 30 (a) of the Bihar Prohibition and
Excise Act, 2016.

67.02 liters of foreign liquor is said to have been
recovered from a Tata Magic vehicle.



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. He has been falsely implicated in this case at the instance of his enemy. He was not apprehended on the spot. Similarly situated co-accused, namely, Deepak Kumar, Aman Kumar and Ranjeet Kumar have been enlarged on bail by different coordinate Bench of this Court in Cr. Misc. Nos 11818 of 2020, 16897 of 2020 and 19912 of 2020 vide order dated 29.05.2020, 09.06.2020 and 26.06.2020 respectively. Petitioner has been languishing in custody since 17.10.2020.

Petitioner is agreed to deposit a sum of Rs.5,000.00 (Rupees 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 Special Judge Excise Act, Muzaffarpur



in connection with Sahebganj P.S. Case No. 36 of 2020.

The bail bond of the petitioner shall be accepted by
the learned Court below on showing receipt of deposit of
Rs.5,000.00 (Rupees Five Thousand) in the PM Cares fund.

(Anjani Kumar Sharan, J)

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