

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3745 of 2021

Arising Out of PS. Case No.-406 Year-2020 Thana- BELHAR District- Banka

MRITYUNJAY KUMAR SON OF MUKESH CHAUDHARI RESIDENT
OF VILLAGE-AMGADHWA, POLICE STATION- BELHAR, DISTRICT-
BANKA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-03-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

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 connection with Special
Excise Case No.631/2020 arising out of Belhar P.S. Case
No.406 of 2020, registered for the offence punishable under
Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

109.125 liters of foreign made liquor is said to have
been recovered from front of the house of one Mukesh



Choudhary covered with straw.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner. It is further submitted that the petitioner has no concern either with the seized liquor or the place of recovery or any trade of liquor. The petitioner has been falsely implicated in this case by the police out of animosity and personal grudge. Petitioner has no criminal antecedent as mentioned in para-3 of the present petition and has been languishing in custody since 20.10.2020.

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 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 court below, in connection with Special Excise Case No.631/2020 arising out of Belhar P.S. Case No.406 of 2020.



The bail bonds 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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