

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4642 of 2021

Arising Out of PS. Case No.-270 Year-2020 Thana- BAJPATTI District- Sitamarhi

MAKESHWAR RAI @ MAKESHWAR ROY S/o Shatrudhan Roy R/o
village- Sonmanital, P.S.- Bajpatti, District- Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh, Adv.
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-03-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

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 Bajpatti P.S. Case No. 270 of 2020 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

Altogether 2609.5 liters of foreign liquor is said to have been recovered from a truck and other vehicles. Allegation against the petitioner is that petitioner and other co-accused persons were involved in the loading and unloading of the said



illicit wine from the truck.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner rather the said liquor is recovered from the truck. 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 due to local village politics. Petitioner has not been apprehended on the spot and his name has transpired on the basis of apprehended co-accused as persons involved in loading and unloading. Petitioner has no criminal antecedent as has been mentioned in para-3 of the present petition and has been languishing in custody since 30.09.2020.

Petitioner is agreed to deposit a sum of Rs. 20,000.00 (Rupees Twenty 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 Bajpatti P.S. Case No.
270 of 2020.

The bail bond of the petitioner 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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