

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3890 of 2021

Arising Out of PS. Case No.-195 Year-2020 Thana- MALSALAMI District- Patna

ABHISHEK KUMAR S/o Shri Bindeshwari Das Resident of Tatwa Toli,
Near BBM High School, Floor Mil, P.S.- Maranga, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-03-2021 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 Malsalami P.S. Case No. 195/2020 registered for the offence punishable under Section 30(a)/ 32(1)/ 32(3)/ 41(1)/ 42(2) of the Bihar Excise Act, 2016.

169.56 liters of foreign liquor is said to have been recovered from TATA Ace Magic vehicle of the Safe Express



Courier Company.

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. Petitioner is the employee of the said company who has no knowledge about the consignment of the said vehicle. Petitioner has no criminal antecedent as mentioned in para-3 of the present petition and has been languishing in custody since 17.08.2020, in which chargesheet has also been submitted.

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 Malsalami P.S. Case No. 195/2020.

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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