

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11745 of 2021

Arising Out of PS. Case No.-229 Year-2020 Thana- BAUSI District- Purnia

BUCHUN RAM @ BUCHCHUN RAM Son of Late Sukhdeo Ram Resident
of Village - Chandauli Raghunathpur, Police station - Baburi, District -
Chandauli (Uttar Pradesh).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh, Adv.

For the Opposite Party/s : Mr.Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-06-2021 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 Baisi P.S.
Case No. 229 of 2020, Special Excise Case No.376 of 2020
registered for the offence punishable under Sections 272, 273 of
the IPC and section 30(a), 41, 47 of the Bihar Prohibition and
Excise Act 2016.

3845.16 liters of India made foreign liquor is said to have



been recovered from a truck which petitioner was driving.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence. It is submitted 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. Although the petitioner was the driver of the truck but he had no knowledge about the illegal liquor kept on the same. He was directed to load and reach the loaded materials to Muzaffarpur. He has been falsely implicated in this case by the police as he has denied to fulfill the demand of some illegal money. There is no compliance of Section 100 Cr.P.C. Petitioner has no criminal antecedent as mentioned in para-3 of the present petition and has been languishing in custody since 21.09.2020.

Petitioner is agreed to deposit a sum of Rs. 50,000.00 (Rupees Fifty 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 Special Judge (Excise), Purnia, in connection with Baisi P.S. Case No. 229 of 2020, Special Excise Case No.376 of 2020 with the following conditions:-

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial, failing which, his bail bonds shall be liable to be cancelled by the learned court concerned.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.50,000.00 (Rupees Fifty Thousand) in the PM Cares fund.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

