

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6031 of 2021

Arising Out of PS. Case No.-61 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Banka

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1. ADITYA KUMAR S/O YAMUNA PRASAD SAH R/O MOHALLA ALIGANJ WARD NO 42, GANGTI ROAD, P.S. BABARGANJ DISTRICT BHAGALPUR
 2. TINKU SAH S/O GANESH PRASAD SAH R/O MOHALLA ALIGANJ WARD NO 42, GANGTI ROAD, P.S. BABARGANJ DISTRICT BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anupa Nand Jha
For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-04-2021 Heard learned counsel for the petitioners and learned
A.P.P. for the State through virtual court proceedings.

Learned counsel for the petitioners 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 petitioners seek bail in connection with Excise Complaint Case No.61/2020 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act 2016.



Altogether 81 liters of foreign liquor is said to have been recovered from a car during routine patrol duty.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from the conscious physical possession of the petitioners. Petitioner no.1 is the owner of the car and petitioner no.2 is driver of the same. They have been falsely implicated in this case by the police because they have no valid paper of the vehicle as the petitioner no.1 was just returning after purchase of the car from Asansol. They have no concern either with the seized liquor or any trade of liquor. The police has forcibly put the signature of the petitioner on the seizure list. Petitioners have no criminal antecedent mentioned in para-3 of the present petition and have been languishing in custody since 08.08.2020.

Petitioners are agreed to deposit a sum of Rs. 10,000.00 (Rupees Ten Thousand) each 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 petitioners, be released on bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each



with two sureties of the like amount each to the satisfaction of learned Special Judge of Excise cum ADJ, 2nd at Banka, in connection with Excise Complaint Case No.61/2020.

The bail bonds of the petitioners 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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