

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6057 of 2021

Arising Out of PS. Case No.-110 Year-2020 Thana- BASANTPUR District- Siwan

1. VIJAY SINGH SON OF PARMA SINGH R/o village- Kanhauli, P.S.-
Basantpur, District- Siwan
2. SRI RAM SINGH S/o Late Chhathu Singh R/o village- Kanhauli, P.S.-
Basantpur, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Anzamul Haque Sahora

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 Basantpur P.S. Case No. 110 of 2020 registered for the offence punishable under Sections 272, 273, 308, 34 of IPC and section 30(a) of the Bihar Prohibition and Excise Act 2016.

Altogether 885 liters 485 ml of different quality and



quantity of illegal foreign liquor is said to have been recovered from the hut of the co-accused Mosafir Ram.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from the conscious physical possession of the petitioners. On mere suspicion they have been implicated in this case. They have no concern either with the seized liquor or the place of recovery or any trade of liquor. They have been falsely implicated in this case due to ulterior motive as the said recovery has been made from the hut of the co-accused and not from these petitioners. The seizure list was not made in accordance with law and thus there is a violation of Section 100 (6) of Cr. P.C. Some of the co-accused persons have already been granted the privilege of anticipatory bail by the co-ordinate Bench of this court. Petitioners are languishing in custody since 13.10.2020 and had one criminal antecedent.

Petitioners are agreed to deposit a sum of Rs. 20,000.00 (Rupees Twenty 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 2nd Additional District and Sessions Judge cum Special Judge, Excise, Siwan, in connection with Basantpur P.S. Case No. 110 of 2020.

The bail bonds of the petitioners shall be accepted by the learned Court below on showing receipt of deposit of Rs.20,000.00 (Rupees Twenty Thousand) each in the PM Cares fund.

(Anjani Kumar Sharan, J)

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