

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6015 of 2021

Arising Out of PS. Case No.-358 Year-2020 Thana- VAISHALI District- Vaishali

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1. RAKESH KUMAR SON OF RAM BRIKSH RAI Resident of Village - Amritpur, P.s.- Vaishali, Distt.- Vaishali.
 2. RAKESH KUMAR SON OF PRADEEP RAI Resident of Village - Bhagwanpur Ratti, P.s.- Vaishali, Distt.- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Bela Singh, Advocate

For the Opposite Party/s : Mr. Mukesh Kr. Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-04-2021 Heard learned counsel for the petitioners and learned A.P.P. for the State through virtual court proceedings.

Learned counsel for the petitioners undertake 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 Vaishali P.S. Case No. 358 of 2020 dated 18.10.2020, registered for the offence punishable under Section 30 (a), 41 (i) of the Bihar Excise and Prohibition Act, 2018.

120 liters of country made liquor is said to have been



recovered from the *Tempo*.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from the conscious physical possession of the petitioners rather 120 liters of country made liquor has been recovered from the *Tempo*. He submits that petitioners were passengers on the said *Tempo* along with other co-passengers and on relevant time witnessing police, driver and co-passenger got down and fled away from the *Tempo*. 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 only on suspicion. Petitioners have no criminal antecedent as has been mentioned in para-3 of the present petition and have been languishing in custody since 19.10.2020.

Petitioners are agreed to deposit a sum of Rs. 8,000.00 (Rupees Eight 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 bond of Rs.25,000/- (Rupees Twenty Five Thousand) each



with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Vaishali P.S. Case No. 358 of 2020.

The bail bond of the petitioners shall be accepted by the learned Court below on showing receipt of deposit of Rs. 8,000.00 (Rupees Eight Thousand) each in the PM Cares fund.

(Anjani Kumar Sharan, J)

GAURAV S./-

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