

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9487 of 2021

Arising Out of PS. Case No.-252 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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1. Deep Singh (Male), aged about 34 years, Son of Sunahri Lal, Resident of Nawrangapur, P.S. Koshwali, District Mainpuri. At present Bagaya Bihar, P.S. Tanjawla, New Delhi.
 2. Sanjay Kumar (Male), aged about 40 years, Son of Mohar Singh Chauhan, Resident of Sitaram Bazar Azmerigate, Street Boriyan, House No.1617, Police Station Hanskanji Chabdi Bazar, Delhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Pravesh Nath Tiwari, Advocate
For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 10-09-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual court proceedings.

Learned counsel for the petitioners undertakes to remove the defects within three 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.

Learned counsel for the petitioners submits that petitioner no.1 has already been granted bail by a co-ordinate Bench of this Court vide order dated 04.03.2021, passed in Cr. Misc. No.1783 of 2021 and he may be permitted to withdraw



the bail petition filed on behalf of petitioner no.1.

Prayer is allowed.

The bail petition filed on behalf of petitioner no.1 is dismissed as withdrawn.

Petitioner no.2 seeks bail in a case registered for the offence punishable under Section 30(a) of Bihar Prohibition and Amendment Excise Act, 2018.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. It is submitted that 264.870 liters of foreign liquor was recovered from a Bolero vehicle. Petitioner no.2 has got no criminal antecedent as stated in para 3 of the bail petition and he is in custody since 18.09.2020.

Petitioner no.2 is agree to deposit a sum of Rs.10,000/- (rupees ten thousand) in Chief Minister's Relief Fund, Bihar, bearing Account No. 2065104000002257, IFSC Code: IBKL0002065, IDBI Bank, Kidwaipuri Branch, Patna.

In the facts and circumstances of the case, let petitioner no.2, above named, 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 the learned court below/successor court where the case is pending in



connection with Excise Case No.252 of 2020, subject to the conditions:

(1) One of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.

(2) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bond.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs. 10,000/- (rupees ten thousand) in Chief Minister's Relief Fund.

(Anjani Kumar Sharan, J)

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