

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.81495 of 2019**

Arising Out of PS. Case No.-434 Year-2019 Thana- KESARIA District- East Champaran

Akhilesh Kumar @ Akhlesh Kumar, Son of Achchelal Sahni, Resident of  
Village- Sundrapur Malahi Tola Chatti, P.S.- Kesariya, District- East  
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Prabhat Kumar, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

2      11-12-2019                      Heard learned counsel for the petitioner and State.

The petitioner is in custody in connection with  
Kesaria P.S. Case No. 434 of 2019 for the offence under  
Sections 272, 273 of the Indian Penal Code and Section 30(a) of  
the Bihar Prohibition and Excise (Amendment) Act, 2016.

Learned counsel for the petitioner submits that the  
petitioner is in custody since 03.09.2019. He further submits  
that in the instant case total 342.96 litres of foreign liquor was  
seized.

Considering the fact that the petitioner has remained  
in custody for more than three months, the petitioner, named  
above, is directed to be released on bail on furnishing bail bonds  
of Rs.50,000/- (Rupees fifty thousand) with two sureties of the



like amount each to the satisfaction of Additional Sessions Judge-IX-cum- Special Judge, Excise Act, East Champaran, Motihari in connection with Kesaria P.S. Case No. 434 of 2019 subject to the condition that the petitioner shall deposit Rs.50,000/- (Fifty thousand) cash in the court below and the same shall be abide by the final outcome in the trial i.e. if the petitioner is acquitted the amount of Rs.50,000/- shall be refunded in favour of the petitioner, otherwise it shall be forfeited.

**(Anil Kumar Upadhyay, J)**

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