

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7375 of 2020

Arising Out of PS. Case No.-213 Year-2019 Thana- KIUL RAIL P.S. District- Lakhisarai

Ganesh Thakur @ Ganesh Kumar S/o Surendra Thakur @ Sulendra Thakur
R/o village- Barh Kachahri, East Malahi, P.S.- Barh, District- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Anil Kumar Singh, Advocate
For the Opposite Party : Mrs.Veena Rani Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 04-02-2020 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is in custody in connection with Special
Case No. 545 of 2019, arising out of Rail Kiul P.S. Case No.
213 of 2019, for the offence under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that
nothing has been recovered from conscious possession of the
petitioner, who is in custody since 17.12.2019. He submits that
the name of the petitioner has surfaced on the basis of the
confessional statement of co-accused Sanjeet Mahto @ Sanjay
Kumar. He further submits that in the instant case total 40.620
litres of foreign liquor was seized.

Considering the fact that nothing has been recovered



from conscious possession of the petitioner, the Court is inclined to grant bail to him. 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 A.D.J.- II-cum-Special Judge, Excise Lakhisarai in connection with Special Case No. 545 of 2019, arising out of Rail Kiul P.S. Case No. 213 of 2019. In the event, the petitioner is found involved in similar case in future, the court below shall be at liberty to cancel his bail bonds in the present case.

(Anil Kumar Upadhyay, J)

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