

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21318 of 2020

Arising Out of P.S. Case No.-205 Year-2019 Thana- Sahebganj District- Muzaffarpur

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Chandan Kumar, son of Sanjay Prasad @ Sanjay Sah, Resident of Village-
Pratappatti, Ward No.10, P.S. Sahebganj, District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Chandra Shekhar Anand, Advocate
For the Opposite Party : Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

2 22-07-2020 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in connection with
Sahebganj P.S. Case No. 205 of 2019 for the offence under
Sections 414, 272, 273/34 of the Indian Penal Code and
Sections 30(a)(g), 33, 34(b), 35(a), 41(a)(ii) of the Bihar
Prohibition and Excise Act.

Learned counsel for the petitioner submits that the
petitioner has got no criminal antecedent. He further submits
that during search 95 litres of country made liquor along with
different empty bottles of foreign liquor was seized from a
Kawadi shop, which belong to the petitioner's father. He further
submits that the petitioner is living separately from his father.
The petitioner is in private job and he has nothing to do with the



business of his father.

Considering the fact that the petitioner has got no criminal antecedent and nothing was recovered from his conscious possession, the petitioner named above, in the event of arrest or surrender before the court below within one month from today, is directed to be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise, Act, Muzaffarpur in connection with Sahebganj P.S. Case No. 205 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure subject to the condition that the petitioner shall deposit Rs.25,000/- (Twenty five 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.25,000/- shall be refunded in favour of the petitioner, otherwise it shall be forfeited.

(Anil Kumar Upadhyay, J)

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