

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21329 of 2020

Arising Out of P.S. Case No.-31 Year-2020 Thana- Harnaut District- Nalanda

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Dinesh Yadav, son of Pujari Yadav @ Ramnandan Yadav, Resident of
Village- Harnaut, P.S. Harnaut, District- Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Kunal Tiwari, Advocate
For the Opposite Party : Mr. Sakir Ahmad, 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
Harnaut P.S. Case No. 31 of 2020 for the offence under Section
30(a) of the Bihar Prohibition and Excise Act.

It is alleged that a truck was standing in front of Kutti
Mill of the petitioner wherefrom 2325 litres of foreign liquor
was seized.

Learned counsel for the petitioner submits that the
petitioner has got no criminal antecedent. He further submits
that the Kutti Mill is standing on NH 31. He further submits that
the petitioner after closing the kutti mill left for residence and he
was not in any manner connected either with the liquor or the



Truck.

Considering the fact that the petitioner has got no criminal antecedent and the liquor was not seized from the Kutti Mill of the petitioner, but from the Truck standing near the Kutti Mill of the petitioner, 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.50,000/- (Rupees fifty thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise, Act, Nalanda at Bihar Sharif/Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Harnaut P.S. Case No. 31 of 2020 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.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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