

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21614 of 2020

Arising Out of PS. Case No.-385 Year-2019 Thana- BISFI District- Madhubani

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GANESH YADAV @ GANESH KUMAR YADAV, S/o Laxmi Yadav @
Lakshmi Yadav, Resident of Village- Kamalpur (Hasanpur), P.S.-Rahika,
District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad, Advocate
For the Opposite Party/s : Mr. Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 12-08-2020 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending arrest in connection with Bisfi P.S. Case No.385 of 2019 for the offence under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

In the instant case total 367 litres of Nepali Saufi liquor was seized.

Learned counsel for the petitioner submits that nothing was recovered from the conscious possession of the petitioner.

Considering the fact that nothing was recovered from the conscious possession 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 Additional Sessions Judge-II-cum- Special Judge, Excise Act, Madhubani in connection with Bisfi P.S. Case No.385 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with the further 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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