

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21658 of 2020

Arising Out of PS. Case No.-44 Year-2020 Thana- KURSAKANTA District- Araria

Md. Saddam S/o - Md. Arif Husain Resident of Village- Balchannda, Ward
No.7, P.S.- Kursakanta, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Naushad Uzzoha

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 13-08-2020 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

Petitioner is apprehending arrest in connection with
Kursakanta P.S. Case No. 44 of 2020 for the offence under
section 30(a) of the Bihar Prohibition and Excise Act, 2016.

In the instant case total 90 liters of Nepali wine was
seized from the two motorcycles.

It is alleged that the liquor was carried by the carrier
for supply to this petitioner.

Learned counsel for the petitioner submits that the
petitioner has no concern with the trade of liquor and he has
been falsely implicated in this case on the confessional
statement of co-accused Md. Saklain.

Considering the fact that nothing was seized from the



conscious or exclusive possession of the petitioner and there is no other case pending against this petitioner under Excise Act, the Court is inclined to grant anticipatory bail to the petitioner, let the petitioner, named above, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions cum Special Judge, Araria, in connection with Kursakanta P.S. Case No. 44 of 2020 subject to the condition as laid down under section 438(2) of the Cr.P.C. with further condition that the petitioner shall deposit Rs. 25000/- cash before the court below and the amount deposited by the petitioner shall abide by final outcome of the pending criminal case.

(Anil Kumar Upadhyay, J)

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