

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21696 of 2020

Arising Out of PS. Case No.-295 Year-2020 Thana- CHAPRA TOWN District- Saran

Mukesh Rai, aged about 26 years, Gender Male Son of Jagdish Rai @ Shri Jagdish Ray Resident of Mohalla - Dahiyawan, P.S. - Chapra Town, District - Saran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ankur Prakash Sinha, Advocate
For the Opposite Party : Mr. Uma Nath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 20-08-2020 Heard learned counsel for the petitioner and learned Additional Public Prosecutor appearing on behalf of the State.

The petitioner is apprehending arrest in connection with Town P.S. Case No. 295 of 2020 for offences under Sections 30(c) and (d) of the Bihar Prohibition and Excise Act, 2018.

In the instant case petitioner has been made accused allegedly on the ground that 4.5 quintal jaggery (*Gur*) was seized and jaggery stored on the carrier was going to be delivered to this petitioner.

Learned counsel appearing on behalf of the petitioner would submit that nothing was recovered from the possession of the petitioner and he has been made accused only on assumption



that he is involved in manufacturing of country made liquor for which he purchased 4.5 quintal jaggery (Gur) which was loaded on two *Thelas*.

Considering the fact that no liquor was recovered from possession of the petitioner and the alleged raw material jaggery (*Gur*) was not recovered from his possession, the Court is inclined to grant bail to the petitioner subject to the condition that the petitioner has to deposit Rs.25,000/- in cash. On depositing the amount of Rs.25,000/-, petitioner, above-named, in the event of arrest or surrender within one month from today, shall be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-2nd-cum-Special Judge, Excise, Saran in connection with Town P.S. Case No. 295 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Deposit of Rs.25,000/- (Rupees twenty thousand) shall abide by final outcome of the instant criminal case.

(Anil Kumar Upadhyay, J)

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