

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21604 of 2020**

Arising Out of PS. Case No.-138 Year-2019 Thana- DEWARIA District- Muzaffarpur

SANJIT CHAUDHARY @ RAJ JAISWAL, Son of Late Yugeshwar Choudhary, Resident of Village - Dewaria Baniya Tola, P.S. - Dewaria, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

**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 Dewaria P.S. Case No.138 of 2019 for the offence under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

In the instant case total 3.6 litres of foreign liquor was seized from a motorcycle.

Learned counsel for the petitioner submits that the petitioner was not named in the F.I.R. He further submits that the name of the petitioner surfaced in this case only on account of the fact that the motorcycle was purchased by the petitioner.

Considering the fact that the petitioner was not named in the F.I.R. and the quantity of liquor is 3.6 litre, 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 Dewaria P.S. Case No.138 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.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)**

uday/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

