

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21605 of 2020

Arising Out of PS. Case No.-14 Year-2020 Thana- AGIAON District- Bhojpur

ANIL KUMAR, Son of Binod Singh @ Mukhiya, Resident of Village -
Azamnagar, P.S.- Agiaon Garhani, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Ataul Haque
For the Opposite Party/s : Mr. AC to A.G

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 Agiaon Garhani P.S. Case No.14 of 2020 for the offence under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

In the instant case total 15 litres of country made liquor as well as motorcycle was seized.

Learned counsel for the petitioner submits that the petitioner has got no criminal antecedent. He further submits that one Nitish Kumar @ Santosh Kumar was arrested by the police, who disclosed the name of the petitioner in the instant case. He further submits that nothing was recovered from the house of the petitioner or his constructive possession.

Considering the fact that the petitioner has got no criminal antecedent and nothing was recovered from his house or his constructive possession, 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, Bhojpur, Arrah in connection with Agiaon Garhani P.S. Case No.14 of 2020 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)

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