

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22904 of 2020

Arising Out of PS. Case No.-55 Year-2020 Thana- SHEKHPURA District- Sheikhpura

AJAY CHAUDHARY, Son of Tunna Chaudhary, Resident of Village-
Hussainabigha, P.S.- Sarmera, Distt - Patna at present Distt - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 01-10-2020 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in connection with Sheikhpura P.S. Case No. 55 of 2020 (Excise Act case no. 64 of 2020) for the offence under Sections 272, 273 of the Indian Penal Code and Sections 30(a) and 37(b) of the Bihar Prohibition and Excise Act, 2016.

In the instant case total 1 litre country made liquor was seized.

Learned counsel for the petitioner submits that the petitioner has got no criminal antecedent. He further submits that the name of the petitioner surfaced in the instant case only because his motorcycle was used for carrying liquor.

Considering the fact that the petitioner has got no criminal antecedent and also the fact that neither the petitioner



was plying the vehicle carrying liquor nor liquor was seized from his possession, the petitioner named above, in the event of arrest or surrender before the court below within one month from the date of communication of this order, 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 2nd Additional Sessions Judge, Sheikhpura in connection with Sheikhpura P.S. Case No. 55 of 2020 (Excise case no. 64 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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