

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26775 of 2020

Arising Out of PS. Case No.-282 Year-2020 Thana- SITAMARHI District- Sitamarhi

VIVEK KUMAR S/O Lakshmi Prasad (wrongly mentioned in the F.I.R. as Late Lakshmi Prasad) Resident of Mohalla - Court Bazar Police Station - Sitamarhi, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 11-11-2020 Heard learned Counsel appearing on behalf of the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in connection with Sitamarhi P.S. Case No. 282 of 2020 registered for the offence under Sections 272, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act,2016.

In the instant case total 50.22 liters of liquor was seized from the field of one Amarnath Yadav.

Learned counsel appearing on behalf of the petitioner would submit that petitioner has no criminal antecedent. Nothing was recovered from the possession of the



petitioner. The liquor was seized from the field of one Amarnath Yadav. Neither the land belongs to the petitioner nor the vehicle used for carrying liquor was of the petitioner.

Considering the fact that petitioner has no criminal antecedent and nothing was recovered from the possession of the petitioner, the Court is inclined to grant bail to the petitioner on payment of Rs. 25,000/- cash. Let the petitioner, above named, in the event of arrest or surrender within four weeks from the date of communication of this order, be released 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 the Additional Sessions Judge-II-cum- Special Judge, Excise, Sitamarhi in connection with Sitamarhi P.S. Case No. 282 of 2020, subject to deposit of Rs. 25,000/- cash and further subject to the conditions as laid down under Section 438(2) Cr. P.C.

The deposit of Rs. 25,000/- cash shall abide by the final outcome of the present criminal case.

(Anil Kumar Upadhyay, J)

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