

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23418 of 2020

Arising Out of PS. Case No.-94 Year-2019 Thana- PUSA District- Samastipur

Monu Kumar @ Monu Rai @ Monu Kumar Rai Son of Satendra Rai @
Satendra Prasad Rai Resident of Village- Bishanpur Bathua, P.S.- Pusa, Distt-
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shanti Bhushan Singh

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 16-09-2020 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

Petitioner is in custody in connection with Pusa P.S.
Case No. 94 of 2019 for the offence under sections 30(a)/41(2)
of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that there is
allegation that from the house of co-accused 67.57 liters and
from the house of this petitioner 37.350 liters of Indian Made
Foreign Liquor was seized. He submits that the petitioner was
not arrested on the spot and nothing was recovered from his
possession.

The petitioner is in custody since 30.5.2020.

Considering the fact that petitioner has remained in
custody for more than two months and the liquor was seized at



the time when the petitioner was not inside the house, the Court is inclined to grant bail to the petitioner, subject to the condition that the petitioner shall deposit Rs. 25000/- cash before the court below and on deposit of Rs. 25,000/- the court below shall release the petitioner, named above, 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 learned 2nd Additional Sessions Judge-cum-Special Judge,Excise, Samastipur, in connection with Pusa P.S. Case No. 94 of 2019. The amount deposited by the petitioner shall abide by final outcome of the pending criminal case.

(Anil Kumar Upadhyay, J)

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