

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22949 of 2020

Arising Out of PS. Case No.-58 Year-2020 Thana- PAKARIBARAW District- Nawada

RUDAL MANJHI, S/o Shibalak Manjhi, Resident of Village- Gandhi Tola
Mushahri, P.S.- Pakribarwan, Distt- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar, Advocate

For the Opposite Party/s : Mrs. Suchita Yadav, 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 Pakribarawan P.S. Case No. 58 of 2020 for the offence under Section 279 of the Indian Penal Code and Sections 30(a) and 37 (c) of the Bihar Prohibition and Excise Act.

In the instant case from difference places total 69 litres of liquor was seized.

Learned counsel for the petitioner submits that the petitioner has got no criminal antecedent. He further submits that nothing was seized from the conscious possession of the petitioner or from his house. He further submits that the petitioner has no concern with the liquor seized in the present case. The recovery was made from the back (Gali) of the house of the petitioner, which is common place.



Considering the fact that petitioner has got no criminal antecedent, 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Nawada in connection with Pakribarawan P.S. Case No. 58 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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