

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22915 of 2020

Arising Out of PS. Case No.-61 Year-2020 Thana- MADHUBAN District- East Champaran

PRAMOD SAH, S/o Vishwanath Sah, Resident of Village- Madhuban, Ward No.6, P.S.-Madhuban, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs. Shahin Begum, 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 Madhuban P.S. Case No. 61 of 2020 for the offence under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

In the instant case total 4092 litres liquor was seized from a truck.

Learned counsel for the petitioner submits that the petitioner has got no criminal antecedent. He further submits that nothing was seized from the possession of the petitioner. He also submits that neither the petitioner is the owner of the liquor nor the owner of the truck.

Considering the fact that the 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.1,00,000/- (Rupees one lakh) with two sureties of the like amount each to the satisfaction of Special Judge, East Champarn, Motihari in connection with Madhuban P.S. Case No. 61 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.1,00,000/- (One lakh) 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.1,00,000/- shall be refunded in favour of the petitioner, otherwise it shall be forfeited.

(Anil Kumar Upadhyay, J)

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