

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22956 of 2020**

Arising Out of PS. Case No.-51 Year-2020 Thana- BIRAUL District- Darbhanga

GHANSHAYAM SINGH @ GHANSHAYAM KUMAR SINGH, S/o  
Upendra Singh @ Upendra Prasad Singh, Resident of Village- Sovehat, P.S.-  
Biraul, Distt- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Brisketu Sharan Pandey, Advocate

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

**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 Biraul P.S. Case No. 51 of 2020 for the offence under  
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

In the instant case from difference places total 16.5  
litres of Nepali liquor was seized from the cattle shed of the  
petitioner.

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. He also submits that liquor was not seized from the  
house but from a cattle shed, which does not belong to the  
petitioner.



Considering the fact that petitioner has got no criminal antecedent and the fact that liquor was seized from the cattle shed, 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, Darbhanga in connection with Biraul P.S. Case No. 51 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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