

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23341 of 2020

Arising Out of PS. Case No.-187 Year-2019 Thana- TARIYANI CHOWK District- Sheohar

MANOJ RAI, S/o Ramishwar Ray, Resident of Village- Jagdishpur, P.S.-
Minapur, District- Sheohar, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 09-10-2020 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in connection with Tariyani P.S. Case No. 187 of 2019 for the offence under Section 30(a) of the Bihar Prohibition & Excise Act.

In the instant case total 272.52 litres of liquor was seized.

Learned counsel for the petitioner submits that the petitioner has got no criminal antecedent. He further submits that the name of the petitioner surfaced on the basis of confessional statement and except the confessional statement nothing incriminating has come to connect the petitioner in the commission of crime.

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 today, is directed to be released on bail on furnishing bail bonds of Rs.50,000/- (Rupees fifty thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise Act, Muzaffarpur in connection with Tariyani P.S. Case No. 187 of 2019 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.50,000/- (Fifty 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.50,000/- shall be refunded in favour of the petitioner, otherwise it shall be forfeited.

(Anil Kumar Upadhyay, J)

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