

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28397 of 2020

Arising Out of PS. Case No.-35 Year-2020 Thana- BALIYA District- Begusarai

Pradip Kumar Choudhary @ Pradip Chaudhary, S/o Uma Kant Choudhary,
Resident of Husaini Chak, Salen-Chak, Post- Husaina, Lakhminia, P.S.-
Baliya, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 15-01-2021 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending arrest in connection
with Baliya P.S. Case No. 35 of 2020 for the offence under
Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

In the instant case total 16 litres of foreign liquor was
seized.

It is alleged that the person apprehended was selling
liquor on behalf of the petitioner, which is totally denied by the
petitioner.

Learned counsel for the petitioner submits that the
petitioner was never made accused under the provisions of the
Bihar Prohibition & Excise Act. He further submits that nothing
was recovered from the possession of the petitioner.



Considering the aforesaid, the petitioner named above, in the event of arrest or surrender before the court below within one month from the date of receipt of a copy 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, Begusarai in connection with Baliya P.S. Case No. 35 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.15,000/- (Fifteen 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.15,000/- shall be refunded in favour of the petitioner, otherwise it shall be forfeited.

(Anil Kumar Upadhyay, J)

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