

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31133 of 2020

Arising Out of PS. Case No.-213 Year-2020 Thana- RAHUI District- Nalanda

Jitendra Ojha, Son of Nand Lal Ojha, Resident of House No-28/B Tara Nagar,
Police Station- Chas, District- Bokaro (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Ojha, APP.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 19-01-2021 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending arrest in connection with Rahui (Bhaganbigha) P.S. Case No. 213 of 2020 for the offence under Section 30(a) of the Bihar Prohibition & Excise (Amendment) Act, 2018.

In the instant case total 348.75 litres of foreign liquor was seized from Maruti Suzuki Pickup Van.

Learned counsel for the petitioner submits that the petitioner has got no criminal antecedent. He further submits that the petitioner was made accused in this case only because he is the owner of the vehicle.

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 Additional Sessions Judge-III-cum- Special Judge, Excise Act, Nalanda at Bihar Sharif in connection with Rahui (Bhaganbigha) P.S. Case No. 213 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.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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