

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34868 of 2020

Arising Out of PS. Case No.-83 Year-2019 Thana- SIKTI District- Araria

JALALUDDIN @ TAMATOR, Son of Zafrul Haque @ Tandal, R/o Village-Kanchna Ward No. 5, P.S.- Sikti, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohit Shriwastava, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 25-01-2021 Heard learned counsel for the petitioner and State.

The petitioner is in custody in connection with Sikti P.S. Case No. 83 of 2019 for the offence under Sections 30(a), 38, 41 and 45 of the Bihar Prohibition and Excise Amendment Act, 2016.

In the instant case total 162 litres of Nepali liquor was seized.

It is alleged that the persons who involved in trade of liquor had assaulted the police personnel and also got freed the accused person who was in the custody of police.

Learned counsel for the petitioner submits that the petitioner is in custody since 03.07.2020. He further submits that nothing was recovered from the possession of the petitioner.

Considering the fact that the petitioner is in custody



since 03.07.2020, the petitioner, named above, 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-II-cum- Special Judge, Excise Act, Araria in connection with Special Case No. 746 of 2019, arising out of Sikti P.S. Case No. 83 of 2019 with the 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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