

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36058 of 2020

Arising Out of PS. Case No.-235 Year-2020 Thana- MANJHI District- Saran

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Abhitosh Kumar Son of Bashisht Singh @ Bashisht Narayan Singh Resident
of village- Daudnagar, Police Station- Bidupur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

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

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 27-01-2021 Heard learned counsel for the petitioner and

learned counsel appearing on behalf of opposite party.

The petitioner is in custody in connection with

Manjhi P.S. Case No. 235 of 2020 for the offences

under Sections 30, 30(a), 38(i)(ii) of the Bihar

Prohibition & Excise Act, 2016.

In the present case, there is recovery of 266

litres of liquor.

Learned counsel appearing on behalf of the

petitioner would submits that petitioner was neither

owner of the vehicle from where the liquor was seized



nor he was driving the car. In fact, petitioner was unaware of the fact that liquor was being carried in the car. Moreover, only 96 litres of liquor was recovered from the car where the petitioner was sitting whereas 170 litres of liquor was recovered from the other vehicle.

The petitioner is in custody since 18.08.2020.

Considering the fact that petitioner was neither owner of the vehicle nor running the vehicle, this Court is inclined to grant bail to the petitioner on deposit of cash of Rs. 50,000/-.

On deposit of cash of Rs. 50,000/-, the petitioner, above named, shall be released on bail on his furnishing bail bonds of Rs. 50,000/- (Rupees fifty thousands) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran in connection with Manjhi P.S. Case No. 235 of 2020.

The deposit of cash of Rs. 50,000/- shall abide



by the final outcome of the present pending criminal case.

(Anil Kumar Upadhyay, J)

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