

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36282 of 2020

Arising Out of PS. Case No.-163 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

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Bhagwan Kumar Son of Yugeshwar Yadav Resident of Mahmadpur Barsauni,
Police Station- Dagrua, District- Purnia.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 29-01-2021 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

Petitioner is in custody in connection with Case No.
163 of 2020 for the offence under section 30(a) of the Bihar
Prohibition and Excise Act.

In the instant case total 576 liters of liquor was seized
but nothing was recovered from the conscious possession of the
petitioner.

Learned counsel for the petitioner submits that the
petitioner is innocent driver. He is in custody since 26.8.2020.
He has no criminal antecedent. He further submits that in fact at
the time of search and seizure, the owner of the vehicle was
allowed to flee away from the place of occurrence and this
innocent driver has been apprehended by the police.



Considering the fact that the petitioner is in custody since 26.8.2020 having no criminal antecedent, the Court is inclined to grant bail to the petitioner, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 50,000/- (Fifty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Begusarai, in connection with Case No. 163C2 of 2020 subject to the condition that the petitioner shall deposit Rs. 50,000/- cash in the court below and the amount of Rs.50,000/- cash deposited by the petitioner shall abide by final outcome of the pending criminal case.

(Anil Kumar Upadhyay, J)

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