

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36795 of 2020

Arising Out of PS. Case No.-51 Year-2020 Thana- MOTIPUR District- Muzaffarpur

MUKESH RAI, S/o Lakhendra Ray, Resident of Village- Purani Bazar
Mahamadpur Balmi, P.S.- Motipur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratneshwar Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 01-02-2021 Heard learned counsel for the petitioner and State.

The petitioner is in custody in connection with
Motipur P.S. Case No. 51 of 2020 for the offence under Sections
272, 273 of the Indian Penal Code and Sections 30(a) and 41(1)
(2) of the Bihar Prohibition and Excise Act, 2018.

In the instant case total 1225 litres of spirit was
seized.

Learned counsel for the petitioner submits that
nothing was recovered either from the possession of the
petitioner or from his residential house. The petitioner is in
custody since 28.05.2020.

Considering the fact that nothing was recovered from
the possession of the petitioner, the petitioner, named above, is
directed to be released on bail on furnishing bail bonds of



Rs.1,00,000/- (Rupees one lakh) with two sureties of the like amount each to the satisfaction of Special Judge, Excise Act, Muzaffarpur in connection with Motipur P.S. Case No. 51 of 2020 with the condition that the petitioner shall deposit Rs.1,00,000/- (One lakh) cash in the court below and the same shall abide by the final outcome in the trial i.e. if the petitioner is acquitted the amount of Rs.1,00,000/- shall be refunded in favour of the petitioner, otherwise it shall be forfeited.

(Anil Kumar Upadhyay, J)

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