

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38938 of 2020

Arising Out of PS. Case No.-119 Year-2020 Thana- CHAND District- Kaimur (Bhabua)

GAUTAM KUMAR, Son of Bharat Chaudhary, Resident of Village-
Basantpur, P.S. - Mufassil, District - Rohtas (Sasaram)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 12-02-2021 Heard learned counsel for the petitioner and State.

The petitioner is in custody in connection with Chand
P.S. Case No. 119 of 2020 for the offence under Sections 414/34
of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

In the instant case total 272.640 litres of Foreign
liquor was seized.

Learned counsel for the petitioner submits that
nothing was recovered from the conscious or exclusive
possession of the petitioner. The petitioner is in custody since
06.07.2020.

Considering the fact that nothing was recovered from
the conscious or exclusive possession of the petitioner, 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 Special Judge, Excise Act, Kaimur at Bhabua in connection with Chand P.S. Case No. 119 of 2020 with the condition that the petitioner shall deposit Rs. 50,000/- (Fifty thousand) 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. 50,000/- shall be refunded in favour of the petitioner, otherwise it shall be forfeited.

(Anil Kumar Upadhyay, J)

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