

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38663 of 2020

Arising Out of PS. Case No.-84 Year-2020 Thana- CHANDI District- Bhojpur

Kariya Pandey, Male, Age about 35 years, Son of Ravindra Pandey Resident of Village- Kharigon, P.S.- Chandi, District- Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Shiv Prasad Gupta, Advocate
For the Opposite Party : Mr.Nirmal Kr. Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 08-02-2021 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioner is in custody in connection with Excise Case No. 838 of 2020 arising out of Chandi P.S. Case No. 84 of 2020, for the offence under Section 30A of the Bihar Prohibition and Excise Act, 2018.

Learned counsel for the petitioner submits that the petitioner has no criminal antecedent. Learned counsel further submits that in the instant case total 873 litres of foreign liquor was seized from the house of co-accused Lallu Pandey and not from conscious possession of the petitioner. Petitioner is in custody since 29.06.2020.

Considering the fact that the petitioner has no criminal antecedent and recovery of liquor was made from the house of



co-accused Lallu Pandey, the Court is inclined to grant bail to the petitioner subject to the condition that the petitioner has to deposit Rs.50,000/- in cash. On depositing the amount of Rs.50,000/-, petitioner, above-named, shall be released on bail on furnishing bail bond of Rs. 50,000/- (Rupees fifty thousand) with two sureties of the like amount each to the satisfaction of IV Additional Sessions Judge cum Special Judge, Excise Bhojpur at Ara in connection with Excise Case No. 838 of 2020 arising out of Chandi P.S. Case No. 84 of 2020.

Deposit of Rs.50,000/- (Rupees fifty thousand) shall abide by final outcome of Excise Case No. 838 of 2020 arising out of Chandi P.S. Case No. 84 of 2020.

(Anil Kumar Upadhyay, J)

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