

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38916 of 2020

Arising Out of PS. Case No.-29 Year-2020 Thana- SIWAIPATTI District- Muzaffarpur

Bhola Kumar Yadav (Male-21 years) Son of Sanjiwan Rai, Resident of
Village- Kodariya, P.S.- Siwaipatti, District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Bhavesh Kumar, Advocate
For the Opposite Party : Mr.Kr. Veerendera Narayan APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 12-02-2021 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is in custody in connection with
Siwaipatti P.S. Case No. 29 of 2020, for the offence under
Sections 272, 273 and 34 of the Indian Penal Code and Sections
30(A) and 30 of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the
petitioner has no criminal antecedent.

In the instant case total 396 litres of foreign liquor
was seized.

Learned counsel appearing on behalf of the petitioner
would submit that seizure was not made in accordance with law.
Learned counsel submits that in fact the liquor was seized from
the maize field and not from conscious possession of the



petitioner. Petitioner is in custody since 28.08.2020.

Considering the fact that the petitioner has no criminal antecedent and he is in custody since 28.08.2020, 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 the Special Judge, Excise, Muzaffarpur in connection with Siwaipatti P.S. Case No. 29 of 2020.

Deposit of Rs.50,000/- (Rupees fifty thousand) shall abide by final outcome of Siwaipatti P.S. Case No. 29 of 2020.

(Anil Kumar Upadhyay, J)

BT/-

U		T	
---	--	---	--

