

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.137 of 2021

Arising Out of PS. Case No.-260 Year-2020 Thana- CHAKIA District- East Champaran

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Haji Umar @ Hazi Umar, Son of Arshad Ali, Resident of Ajrara, P.S. -
Mudali, District - Merut (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate
For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 20-02-2021 Heard learned counsel for the petitioner and State.

The petitioner is in custody in connection with Chakia
P.S. Case No. 260 of 2020 for the offence under Section 30(a) of
the Bihar Prohibition and Excise Act, 2016.

In the instant case total 3025.88 litres of liquor was
seized.

Learned counsel for the petitioner submits that the
petitioner is the driver of the vehicle. He further submits that the
petitioner was unaware of the fact that liquor was kept inside the
vehicle. The petitioner has got no criminal antecedent and he is
in custody since 27.07.2020.

Considering the fact that the petitioner has got no
criminal antecedent, 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 Additional Sessions Judge-XIII-cum- Special Judge, Excise Act, East Champaran, Motihari in connection with Chakia P.S. Case No. 260 of 2020.

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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