

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86 of 2021

Arising Out of PS. Case No.-342 Year-2020 Thana- PATLIPUTRA District- Patna

Devendra Rai, Son of Manoj Rai @ Shiv Kumar Ray, Resident of Village-
Shankar Dih (Koji), Police Station- Derni, District- Saran (Chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachida Nand Rai, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 19-02-2021 Heard learned counsel for the petitioner and State.

The petitioner is in custody in connection with Special Case No. 5461 of 2020, arising out of Patliputra P.S. Case No. 342 of 2020, for the offence under Sections 30(a) and 41(i) of the Bihar Prohibition and Excise Act, 2018.

Learned counsel for the petitioner submits that the in the instant case total 87.35 litres of foreign liquor was recovered. He further submits that nothing was recovered from the possession of the petitioner, but the liquor was recovered from the house of co-accused. The petitioner is in custody since 18.09.2020.

Considering the fact that nothing was recovered from the conscious possession of the petitioner, the petitioner, named above, is directed to be released on bail on furnishing bail bonds of Rs. 25,000/- (Rupees twenty five thousand) with two sureties



of the like amount each to the satisfaction of Special Judge,
Excise Act, Patna in connection with Special Case No. 5461 of
2020, arising out of Patliputra P.S. Case No. 342 of 2020.

The petitioner shall deposit Rs.25,000/- (Twenty five
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.25,000/- shall be refunded in favour of the
petitioner, otherwise it shall be forfeited.

(Anil Kumar Upadhyay, J)

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