

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34918 of 2016

Arising Out of PS.Case No. -121 Year- 2016 Thana -EKMA District- SARAN

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Amarjeet Ram, Son of Muntun Ram, resident of village - Ekma Tola
Vishunpur Chata, P.S.- Ekma, District-Saran at Chapra

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 08-09-2016

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner apprehends arrest in connection with
Ekma P.S. Case No. 121/16 for offences alleged under Sections
272, 273 of the Indian Penal Code and under Section 47 of the
Bihar Excise (Amendment) Act, 2016.

The prosecution case is that informant along
with police personnel raided the house of petitioner and in
presence of independent witnesses recovered 129 bottles of
Imperial Blue foreign liquor each containing 375 ml. and 42
bottles of M/s Donald foreign liquor and, accordingly, seizure-list
was prepared.

It has been submitted by the learned counsel
for the petitioner that he is innocent and has falsely been
implicated due to dirty village politics. He submits that no

incriminating article has been recovered from his possession and the seizure-list was prepared after a delay of three days as the date of occurrence is 25.06.2016 and the seizure-list has been sent to the court on 28.06.2016, which makes the entire seizure doubtful and raises suspicion. He also submits that the said seizure-list has not been handed over to him or to his family members, which is in violation of the provisions of Section 100 Cr.P.C.

However, learned APP for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since suspicion has been raised as seizure-list has not been handed over to the family members of the petitioner, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of eight weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra, in connection with Ekma P.S. Case No. 121/16, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

Rajesh/-

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