

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26193 of 2016

Arising Out of PS.Case No. -118 Year- 2016 Thana -BARBIGHA District- SEKHPURA

Dharmendra Chaudhary Son of Late Mahesh Chaudhary, resident of
Village- Mirjapur, P.S.- Barbigha and Dstrict- Sheikhpura.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Dr. Anjani Pd. Singh, Advocate

For the State : Mr. Ashok Kumar Singh 1, APP

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 04-07-2016 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered for the offences punishable under section 47(a) of the Bihar Excise(Amendment) Act, 2016.

Allegedly two litres of country made liquor were recovered from the house of the petitioner kept in Jarkin.

It is contended on behalf of the petitioner that it is not stated in the First Information Report as to whether search was conducted in the presence of the family members of the petitioner or anybody was present at that point of time or whether the house was locked. It is stated that due to lack of availability of any independent person, raiding party had made search and seizure. It is stated that the entire story of search and seizure of the country

made liquor has been made in violation of the provisions of section 100 of the Code of Criminal Procedure.

Having regard to the facts and circumstances of the case, let the abovenamed petitioner, namely, Dharmendra Chaudhary, be released on bail in the event of arrest/surrender before the court below within a period of six weeks from today in Barbigaha Police Station Case No. 118 of 2016 on furnishing bail bonds of Rs.10,000/- (Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of ACJM IInd, Sheikhpura, subject to the conditions laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

SC/-

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