

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28656 of 2016

Arising Out of PS.Case No. -60 Year- 2016 Thana -BEN District- NALANDA (BIHARSHARIFF)

1. Sanjay Kumar @ Pallu Son of Sri Ramdahin Prasad Resident of village-
Akauna, P.S.-Ben, District- Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar

For the Opposite Party/s : Mr. Sri Ram Sumiran Roy

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 22-07-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under
Sections-25(i-B)A/26/35 of the Arms Act and 47 of Bihar Excise
(Amendment) Act, 2016.

It is alleged that 326 litres 400 MLs country-made
liquor were recovered from house of the petitioner but submission
on behalf of petitioner is that the petitioner was earlier a licensee
but the State Government came with Notification of complete
prohibition of liquor in the State and accordingly, the aforesaid
Notification was published and was made effective from 1st April,
2016. It is further submitted that it was the duty of the Excise
Officials to attach/seize the stock of the petitioner after complete

prohibition but the Excise Officials failed to execute their duty and taking advantage of the aforesaid facts, the police lodged this case against the petitioner and others.

Considering the above-said facts and circumstances of the case as well as submission of the parties, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Ben P.S. Case No. 60 of 2016 to the satisfaction of learned Additional Chief Judicial Magistrate, Rajgir, Nalanda, Bihar Sharif.

A.K.V./-

(Hemant Kumar Srivastava, J)

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