IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27249 of 2017

Arising Out of PS.Case No. -21 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District- MADHEPURA

==========

Amit Kumar S/o Late Dayanand Yadav, Resident of Village- Bhirkhi, Ward No. 21, P.S. Madhepura, District- Madhepura.

.... Petitioner

Versus

The State of Bihar .... Opposite Party

==========

Appearance :
For the Petitioner/s : Mr. Pawan Kumar, Advocate
For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

==========

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 15-06-2017 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is seeking Regular Bail in connection with Excise Case No. 21 of 2017-2018, C.I.S. No. 61/2017 for the offences punishable under Section 30(a) and 37(b) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that on bare perusal of the First Information Report it would appear that in course of raid by the Excise Superintendent, the petitioner was arrested in a drunken condition with a motorcycle. It is further stated that no recovery was made from his conscious possession but the seizure list has been prepared showing recovery of country made liquor of one bottle containing 700 ML.

Learned counsel for the petitioner further submits

WEB COPY

that the seizure is not in accordance with the Section 100 Cr.P.C., the petitioner has got clean antecedent and he is in judicial custody for two months. Learned counsel for the petitioner states that the motorcycle in question belongs to him and he has got documents of ownership of the said motorcycle.

Learned Additional Public Prosecutor opposes the prayer for bail of the petitioner and submitted that the seizure and one bottle containing 700 ML liquor has been recovered from the possession of this petitioner who was in drunken position.

Considering the nature of allegation, the clean antecedent of the petitioner and the period of judicial custody, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura, in connection with Excise Case No. 21 of 2017-2018, C.I.S. No. 61/2017.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

U		T	

WEB COPY