

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25969 of 2017

Arising Out of PS.Case No. -387 Year- 2017 Thana -GOVT. OFFICIAL COMPLAINT CASE
District- SEKHPURA

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Arjun Chaudhary Son of Late Hari Lal Chaudhary Resident of Village -
Deolay, P.S. - Sheikhpora, District - Sheikhpora.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate

For the Opposite Party/s : Mr. Sri Ajay Kumar-1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 15-06-2017

Heard learned counsel for the petitioner and

the learned A.P.P. for the State.

Petitioner is seeking regular bail in connection
with Excise Case No. 387 C2/2017 arising out of P.R. No.
17/2017-18 registered for the offence punishable under
Sections 30(a) of Bihar Prohibition and Excise Act, 2016.

Learned Senior counsel appearing on behalf of
the petitioner has pointed out the mode and manner in
which the allegations of seizure has been made against the
petitioner, it is a case of false implication. He further
submits that in fact there is no seizure from the conscious
possession of this petitioner. Learned Senior counsel further
submits that the petitioner was not found having consumed
the liquor and the allegation is that of seizure of only 15



litres of toddy for selling purposes. The petitioner is in custody since 05.04.2017.

It is further submitted by learned Senior counsel for the petitioner that petitioner has no criminal antecedent.

Learned Additional Public Prosecutor opposes the prayer for bail of the petitioner and submitted that in the present case the period fixed under the special statute for submission of enquiry report is yet not over.

Considering the nature of allegation, the fact that the petitioner has no criminal antecedent and a challenge has been made to the mode and manner of seizure, let the petitioner, on completion of 60 days period from the date of judicial custody, 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 Additional Sessions Judge, Sheikhpura, in connection with Excise Case No. 387 C2/2017 arising out of P.R. No. 17/2017-18.

Accordingly, this application stands disposed of.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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