

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27330 of 2017

Arising Out of PS.Case No. -14 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District-
MADHEPURA

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Jawahar Mandal, Son of Bahadur Mandal, Resident of village-Badiya
Maykhand, P.S. Barhara Kothi, District-Purnea.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ajay Kumar -2

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

2 13-06-2017 In view of the explanations furnished on behalf of the

petitioner, let the defect be ignored.

Learned counsel for the petitioner with consent of
learned A.P.P. prays for hearing the matter.

Heard Sri Sunil Kumar Singh, learned counsel for the
petitioner and Sri Ajay Kumar, learned A.P.P. for the State.

The petitioner is seeking regular bail in connection
with C-14 (7) of 2017 Excise Case No. 218 of 2016-17 for
offence registered under Sections 30(a) and 37 (b) of the Bihar
Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the
prosecution report shows that this petitioner was apprehended
when he was found to have consumed 143.5mg/100 ML liquor.



While forwarding the petitioner after arrest, the Sub-Inspector of Excise requested the Sub-Divisional Magistrate to keep him in custody till completion of investigation. Learned counsel for the petitioner submits that the petitioner is in custody since 05.02.2017.

Learned A.P.P. opposed the prayer for bail and submits that there is allegation of seizure of one liter illicit Chulai wine from his conscious possession, learned counsel for the petitioner submits that seizure has not been made in accordance with Section 100 of the Cr.P.C.

Considering the facts and circumstances of the case and also the fact that petitioner is in custody for more than four months and the investigation is over as also that the petitioner has no criminal antecedent, let the petitioner be enlarged on bail on furnishing bail bond of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Udakishunganj, Madhepura in connection with C-14(7) of 2017 Excise Case No.218 of 2016-17.

(Rajeev Ranjan Prasad, J)

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