

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1791 of 2017

Arising Out of PS.Case No. -49 Year- 2016 Thana -GANGTA District- MUNGER

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1. Md. Naushad, son of Late Amant Ali, resident of Village- Murgia Chak,
P.S.- Kotwali, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal

For the Opposite Party/s : Mr. Sri Akhileshwar Dayal

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 19-01-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offence punishable under section 30 (A) of the Bihar Excise Act, 2016 (Amended).

Allegedly, from the Ambassador Car which was being driven by the petitioner 225 bottles of foreign liquor each containing 180 ml. and 315 pouches of country made spice liquor each containing 200 ml. were recovered and the petitioner is in custody since 24.10.2016.

Submission is of false implication and that on the seizure list there is no signature of the petitioner, the seizure lists were prepared in utter violation of the mandatory provision of law



and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes prayer for bail but fairly submits that on the seizure list there is no signature of the petitioner.

In the facts and circumstances as stated above, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of J.M. 1st Class, Munger in Gangta P.S. Case No. 49 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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