

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25866 of 2017

Arising Out of PS.Case No. -85 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District-
EASTCHAMPARAN(MOTIHARI)

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1. Sanny Kumar, son of Late Randa Paswan, resident of Village- Laxman
Chauk, P.S.- Banjariya, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Suresh Prasad Singh, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 21-06-2017 Heard leaned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in jail since 29.03.2017
in connection with Excise Case No. 85 of 2017 for offences
punishable under Section 30 (a) of the Bihar Prohibition and
Excise Act.

The prosecution case as lodged on the basis of
secret information is that 68 bottles each containing 375 ml. of
foreign liquor and 3 bottles each containing 750 ml. of foreign
liquor was recovered in plastic bag from the house of the
petitioner and accordingly, seizure list was prepared.

It has been submitted by the learned counsel for the



petitioner that he is innocent and has falsely been implicated in the aforesaid case. In fact the said bottles were found on road side in abandoned condition and the petitioner has been falsely implicated. It is further submitted that seizure list has not been prepared in accordance with Section 100 (4) (7) of the Cr. P. C. and that the petitioner has no criminal antecedent. It is further submitted that nothing has been recovered from the conscious possession of the petitioner.

However, learned A. P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Excise Case No. 85 of 2017.

(Nilu Agrawal, J)

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