

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37171 of 2018

Arising Out of PS.Case No. -360 Year- 2018 Thana -MUZAFFARPUR SADAR District-
MUZAFFARPUR

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Ujjawal Kumar, S/o Sanjay Kumar Chaudhary @ Sanjay Chaudhary, R/o
Vill.- Kharouna Dih, P.S.- Kudhni , District- Muzaffarpur. A/p R/o
Mohalla- Bhawaninagar North Yadav Nagar, P.S.- Sadar , District-
Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar, APP

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 28-06-2018

Heard learned counsel for the petitioner and State.

The petitioner is in custody in connection with
Muzaffarpur Sadar P.S. Case No. 360 of 2018 for the offence
under Sections 414 of the Indian Penal Code and 30(a) of the
Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the
petitioner has got no criminal antecedent. Referring to the F.I.R.
and the seizure list he submits that 36 litres of foreign liquor was
seized from the Varanda of the house of Anil Kumar and 90 litres
of foreign liquor was seized from Alto car belonging to one Rohit
Raj @ Rajiv Kumar. He further submits that nothing was



recovered from the possession of the petitioner. Learned counsel submits that the seizure list was not prepared as per the mandatory provision prescribed under Section 100 of Cr.P.C. The petitioner is in custody since 28.05.2018.

Considering the fact that petitioner has no criminal antecedent and nothing was recovered from the conscious possession of the petitioner, but the liquor was seized from the Varanda of Anil Kumar and Alto car belonging to one Rohit Raj @ Rajiv Kumar, the petitioner, named above, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Muzaffarpur in connection with Muzaffarpur Sadar P.S. Case No. 360 of 2018.

(Anil Kumar Upadhyay, J)

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