

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 60630 of 2018

Arising Out of PS. Case No.-88 Year-2018 Thana- Agiaon Bazar District- Bhojpur

Kamlesh Singh S/o Sharda Singh, R/o Village + P.S.- Agiaon Bazar , District-
Bhojpur (Ara).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 08-10-2018 Heard Sri Ram Prawesh Kumar, learned counsel for
the petitioner and Sri Uday Pratap Singh, learned Addl. Public
Prosecutor.

The sole petitioner, apprehending his arrest in Excise
Case No. 1281 of 2018, arising out of Agiaon Bazar P.S. Case
No. 88 of 2018 registered for offence under Sections 30(a), 38
of Bihar Prohibition and Excise Act, 2016, has prayed for grant
of bail in the event of his arrest or surrender.

At the very outset, learned counsel for the petitioner
has drawn my attention to statement made in paragraph – 3 of
the petition to show that petitioner is having clean antecedent.
He further submits that petitioner in the present case has falsely
been made accused on an accusation of recovery of 4.5 liter of
Indian make foreign liquor from his house, whereas, no such



recovery was made and this is the reason that seizure list was prepared in contravention of provision contained in Section 100 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.').

Be that as it may, considering the fact that petitioner is having clean antecedent as well as recovery of meager amount of liquor, in the event of arrest or surrender within a period of six weeks from today, let the petitioner namely Kamlesh Singh be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Bhojpur at Ara in connection with Agiaon Bazar P.S. Case No. 88 of 2018 giving rise to Excise Case No. 1281 of 2018, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rakesh Kumar, J.)

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