

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61935 of 2018

Arising Out of PS. Case No.-266 Year-2018 Thana- ARA MUFFSIL District- Bhojpur

Ravindra Kumar Yadav son of Dharampal Yadav resident of Village- Gaura,
P.S. Bahoranpur, District Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bindhyachal Rai
For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 06-10-2018 Heard learned counsel for the parties.

The petitioner seeks bail in Ara Mufassil (Dhobha O.P) P.S. Case No. 266 of 2018 (Excise Case No. 1292 of 2018), registered for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise Act, 2016 and Sections 272/273 of the Indian Penal Code.

The allegation against the petitioner is that 103.680 litres of foreign liquor has been recovered.

Learned counsel, appearing on behalf of the petitioner, has submitted that the petitioner's implication is incorrect and the seizure list has not been prepared by following the procedures prescribed under the Cr. P.C. He contends that both the seizure list witnesses are the police personnel, whereas



the seizure is said to have been made from a public place. He further contends that the petitioner has no criminal antecedent and he has remained in custody for nearly five months.

Considering the above submissions, this application is allowed. Let the petitioner, above-named, 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 the Special Judge, Excise, Bhojpur at Ara in Excise Case No. 1292 of 2018 arising out of Ara Muffasil (Dhobha O.P) P.S. Case No. 266 of 2018.

This is subject to the condition that if the petitioner is found involved in any criminal offence in future, the privilege of bail allowed to the petitioner under the orders of this Court shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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