

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61936 of 2018

Arising Out of PS. Case No.-109 Year-2018 Thana- RAIL JHAJHA District- Jamui

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Dhiraj Kumar son of Late Arjun Prasad Singh, resident of Village- Chandaaur,
P.S. Bhagwanpur, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh

For the Opposite Party/s : Mr. Sri Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 06-10-2018

Heard learned counsel for the parties.

The petitioner seeks bail in Jhajha Rail P. S. Case No. 109 of 2018, registered for the offence punishable under Sections 30(a) and 38(i) of the Bihar Prohibition and Excise Act, 2016.

It is alleged against the petitioner that from his possession 30 literes 500 ml of foreign liquor was recovered worth Rs. 33,320/-. The petitioner and another person from whose possession also some foreign liquor was recovered, disclosed before the police that they had purchased the seized wine from Jasidih.

Learned counsel for the petitioner has submitted that the petitioner does not have criminal antecedents and has



wrongly been implicated in this case. He has also submitted that though the seizure has been made from the railway platform no.3 from Jhajha railway station, no independent person is the witness to the seizure list and the police personnel are the witnesses to the seizure list. He he has further submitted that the case number of the FIR mentioned in the seizure list itself shows that the seizure list was prepared after registration of the FIR and not on the spot.

Considering the above submissions and the submission that the petitioner has no criminal antecedents, 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 learned Addl. District and Sessions Judge-II, Jamui in Jhajha Rail P.S. Case No. 109 of 2018.

(Chakradhari Sharan Singh, J)

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