

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76347 of 2018

Arising Out of PS. Case No.-113 Year-2018 Thana- DEO District- Aurangabad

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Mukesh Bhuiyan S/o Madan Bhuiyan, Resident of Village-Kirtipuram, P.S.-
Deo District-Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parmeshwar Vishwakarma

For the Opposite Party/s : Mr. Sri Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 19-12-2018 Heard learned counsel for the petitioner and the

counsel appearing on behalf of the State.

Petitioner is apprehending arrest in connection with

Deo P.S. Case No. 113 of 2018 for the offence under section

30(a) of Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that

petitioner has no criminal antecedent.

The allegation in the instant case is that Mahua

liquor was seized from the black colour tube from the house of

the petitioner.

Learned counsel for the petitioner submits that

seizure list was not prepared at the spot. It was prepared

elsewhere contrary to the mandatory provision of section 100 of

the Cr.P.C.



Considering the fact that petitioner has no criminal antecedent, let the petitioner, named above, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 Additional Sessions Judge-VII cum Special Judge (Excise), Aurangabad, in connection with Deo P.S. Case No. 113 of 2018 subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Anil Kumar Upadhyay, J)

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