

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20951 of 2018

Arising Out of PS.Case No. -81 Year- 2018 Thana -BIHPUR District- BHAGALPUR

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1. Bijlikant Choudhary @ Bijli Choudhary @ Bijay Choudhary S/o Late Dhanuki Choudhary, R/o Mauzamabad, P.S.- Bihpur (Bhawanipur), District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. Dilip Kumar

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

03 30-04-2018

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in a case registered for the offence punishable under Section 30 (a)/38 (i) of the Bihar Prohibition and Excise Act, 2016.

257 liters of foreign liquor is said to have been recovered from the house of the petitioner and petitioner was apprehended.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern with the seized liquor. The house of the petitioner is inhabited by



several family members and petitioner had no knowledge of keeping the said liquor in the said house. The provisions of Section 100 Cr.P.C. has not been complied with in preparing the seizure list. He has no criminal antecedent and has been languishing in custody since 02.03.2018.

In the facts and circumstances of the case, the above named petitioner is directed to 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 the learned Special Judge Excise, Bhagalpur in connection with Biłpur (Bhawanipur) P.S. Case No.81 of 2018.

(Prakash Chandra Jaiswal, J.)

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