

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.36415 of 2018**

Arising Out of PS. Case No.- Year- Thana- District- Patna

Shiv Dani Kumar, Son of Munni Chauhan, resident of Village- Govindpur  
Chauhan Tola, P.S. Phulwari Sharif, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rudra Deo

For the Opposite Party/s : Mr. Dr. Rabindra Kumar

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

2      28-06-2018                      Heard learned counsel for the petitioner and the  
counsel appearing on behalf of the State.

Petitioner is in custody in connection with Spl. Case  
No. 3198 of 2018 arising out of P.R. No.01/18 for the offence  
under section 30(a) of the Bihar Prohibition and Excise Act,  
2016.

Learned counsel for the petitioner submits that  
petitioner has no criminal antecedent. He is in custody since  
4.4.2018 and as such he has completed more than two and half  
month. Learned counsel submits that search and seizure was not  
made as per mandatory provision of law. The alleged liquor was  
not seized from the conscious possession but it was hidden in  
the house of the petitioner.

Considering the fact that petitioner has no criminal



antecedent and he has remained in custody for more than two and half months, let the petitioner, named above, 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, Patna , in connection with Spl. Case No. 3198 of 2018, arising out of Phulwari Sharif P.S. P.R. Case No. 01 of 2018.

**(Anil Kumar Upadhyay, J)**

Ravi/-

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