

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33889 of 2018

Arising Out of PS. Case No.-105 Year-2018 Thana- SIWAN MUFFASIL District- Siwan

PRASHANT KUMAR @ PRASHANT RAI, Son of Vijay Kumar @ Vijay Rai, Resident of Village- Pachaura, P.S. Siwan Muffasil, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP-78

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

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

Petitioner is in custody in connection with Siwan Muffasil P.S. Case No. 105 of 2018 for offence under Section 272/273 of the Indian Penal Code and 30(a), 38(i) of Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the alleged liquor was not seized from the possession of the petitioner but from the filed of Mahadev Pandit. He further submits that the seizure list was not prepared in accordance with the provision of Section 100 of Cr.P.C.

Considering the fact that the petitioner has remained in custody for nearly two months and nothing was recovered from his conscious possession but from the filed of Mahadev



Pandit.

Considering the aforesaid, 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 learned Additional Sessions Judge-II-cum-Special Judge, Excise, Siwan in connection with Siwan Muffasil P.S. Case No. 105 of 2018.

(Anil Kumar Upadhyay, J)

Rakesh
Kumar/Manoj

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