

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36592 of 2018

Arising Out of PS. Case No.-109 Year-2018 Thana- KESARIA District- East Champaran

Belash Sah S/o Late Satya Narayan Sah, R/o Vill.- Rajpur, P.S.- Kesaria,
District- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Adv.

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 29-06-2018 Heard Sri Ajay Kumar Singh, learned counsel for the
petitioner and learned Addl. Public Prosecutor.

The sole petitioner, having clean antecedent, which fact has been stated in paragraph-3 of the petition, apprehending his arrest in Kesaria P.S. Case No.109 of 2018 registered for the offence under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016, has prayed for grant of bail, in the event of his arrest or surrender.

Learned counsel for the petitioner submits that as per F.I.R., it appears that in the village of the petitioner, several houses were searched by the police and it has been shown as if from the house of the petitioner, there was recovery of about 12 litres of country-made liquor . Similarly, from the houses of other persons, recovery was shown, but seizure list was



prepared incomplete contravention of provision under Section 100 of the Code of Criminal Procedure. It has been argued that seizure list has not been supplied to any of the family members of the petitioner. He submits that it appears that without any recovery, falsely seizure list was prepared and this was the reason that no signature of family members was obtained on the seizure list .

Be that as it may, considering the nature of accusation and clean antecedent of the petitioner, in the event of his arrest or surrender within six weeks from today, let the petitioner, namely, Belash Sah 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 7th Addl. Sessions Judge-cum-Special Judge, Excise, Motihari, East Champaran in connection with Kesaria P.S. Case No.109 of 2018, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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