

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61846 of 2018

Arising Out of PS. Case No.-241 Year-2018 Thana- RANIYATALAB District- Patna

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Anil Chaudhary S/o Jawahar Chaudhari @ Jawahir Chaudhari, R/o Vill.- Rani Talab, P.S.- Rani Talab, District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma

For the Opposite Party/s : Mr. Sri Tarkeshwar Nath Thakur

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 06-10-2018

Heard learned counsel for the parties.

The petitioner seeks bail in Rani Talab Police Station Case No. 241 of 2018 (Special Case No. 8037 of 2018), registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

It is alleged that 16 litres of country made liquor was recovered from the petitioner's possession.

Learned counsel appearing on behalf of the petitioner has submitted that as a matter of fact, the said country made liquor in plastic jar was recovered by the Police, abandoned at the place of occurrence and the petitioner has been wrongly implicated by the Police. He has also submitted that the seizure list has not been prepared in accordance with the procedure



prescribed under the Code of Criminal Procedure. The petitioner has no criminal antecedents as stated in paragraph 3 of the application. He further submits that if he is again implicated in similar type of offence, the Court may consider the cancellation of his bail, if allowed in the present case.

Considering the above submissions, this application is allowed.

Let the petitioner, Anil Chaudhary, 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 the learned Special Judge, Excise Act, Patna in Rani Talab Police Station Case No. 241 of 2018/Special Case No. 8037 of 2018.

(Chakradhari Sharan Singh, J)

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