

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32757 of 2018

Arising Out of PS. Case No.-632 Year-2017 Thana- BARBIGHA District- Sheikhpura

Lalan Malakar S/o Jagdish Malakar, R/o Mohalla- Chhoti, Barbigha, P.S.-
Barbigha, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Himanshu Kumar Akela

For the Opposite Party/s : Mr. Sri Ram Bachan Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 04-06-2018 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

Petitioner is in custody in connection with Excise
Case No. 841 of 2017, arising out of Barbigha P.S. Case No.
632 of 2017 for the offence under section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that
petitioner was apprehended only on suspicion. Nothing was
recovered from the possession of the petitioner. There is
absolutely no material to connect the petitioner with illegal trade
of prohibited liquor. He also submits that the mandatory
provision contemplated under the Cr.P.C. was not followed in
the matter of preparation of the seizure list .

Considering the fact that the petitioner is in custody in



connection with Excise Case No. 841 of 2017 since 4.5.2018 and other co-accused have been granted bail in Cr. Misc. No. 7842 of 2018 vide order dated 13.2.2018 and Cr. Misc. No. 7309 of 2018 vide order dated 8.2.2018, 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 1st Additional District and Sessions Judge, Sheikhpura, in connection with Excise Case No. 841 of 2017 arising out of Barbigha P.S. Case No. 632 of 2017.

(Anil Kumar Upadhyay, J)

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