

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.37077 of 2018**

Arising Out of PS.Case No. -49 Year- 2018 Thana -DAWATH District- SASARAM (ROHTAS)

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Babudhan Chaudhary, S/o Late Sushil Chaudhary, R/o Village- Gangti,  
P.S.- Dawath, District- Rohtas.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Shiwesh Chandra Mishra, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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

2      28-06-2018

Heard learned counsel for the petitioner and State.

The petitioner is in custody in connection with  
Dawath P.S. Case No. 49 of 2018 for the offence under Sections  
30(a) and 38 of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the  
petitioner has got no criminal antecedent. The petitioner is in  
custody since 27.05.2018. Learned counsel submits that the  
seizure list was not prepared as per the mandatory provision  
prescribed under Section 100 of Cr.P.C. He further submits that  
for seizure of liquor from road side, the petitioner cannot be  
fastened with any accountability.

Considering the fact that the petitioner has remained  
in custody for nearly one month and he has no criminal  
antecedent, the petitioner, named above, is directed to be released



on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 2<sup>nd</sup> Additional Sessions Judge, Cum-Special Judge Excise, Rohtas, Sasaram in connection with Dawath P.S. Case No. 49 of 2018.

**(Anil Kumar Upadhyay, J)**

Uday/-

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