

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54976 of 2018

Arising Out of PS. Case No.-23 Year-2013 Thana- GOVERNMENT OFFICIAL COMP.
District- West Champaran

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Suresh Yadav S/o Sri Mamila Yadav, R/o Vill.- Amawa, Ahir Tola, P.S.-
Majhauria, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar
For the Opposite Party/s : Mr. Sri Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 28-09-2018 Heard learned counsel for the petitioner and learned
counsel appearing for the State.

The petitioner is in custody in connection with Excise
Case No. 23 of 2013 for the offence under Section 47(a) of the
Bihar Excise Act.

Learned counsel for the petitioner submits that in the
instant case the petitioner was arrested in connection with
seizure of 105 liters of country made liquor. Learned counsel for
the petitioner submits that he has been falsely implicated in the
case on account of dirty village politics and due to inimical
terms with the Mukhiya of the Panchayat. He submits that
seizure was not in accordance with the mandatory provision of
Section 100 Cr.PC and the seizure list witnesses are residing at a



distance of 18 kilometers from the alleged place of occurrence.

The petitioner is in custody since 14.05.2018.

Considering the fact that the petitioner is in custody since 14.05.2018, the petitioner, named above, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten thousand) with two sureties of the like amount each after 21.10.2018 to the satisfaction of the Special Judge,Excise, Bettiah in connection with Excise Case No. 23 of 2013.

(Anil Kumar Upadhyay, J)

mrl./-

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