

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3893 of 2019

Arising Out of PS. Case No.-295 Year-2018 Thana- CHAKIA District- East Champaran

Dipak Thakur Son of Sundardeo Thakur R/o Vill- Adiya, P.S. Kotwa, District-
East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 25-01-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

This is an application for grant of regular bail filed on behalf of the petitioner. Petitioner is in custody in connection with Chakiya PS Case No. 295 of 2018 for the alleged offence punishable under Section 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that petitioner is in custody since 18.12.2018. In the instant case, 95.76 liters of foreign liquor was recovered. Petitioner was not apprehended at the spot and nothing was recovered from the conscious possession of the petitioner. He submits that seizure was made in violation of the mandatory provision of Section 100 CrPC.



Considering the fact that petitioner has no criminal antecedent and he is in custody since 18.12.2018, this application is allowed. Let the petitioner, above named, 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 7th Addl. Sessions Judge-cum-Special Judge, Excise, East Champaran, Motihari, in connection with Chakiya PS Case No. 295 of 2018.

(Anil Kumar Upadhyay, J)

mrl./-

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