

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4238 of 2019

Arising Out of PS. Case No.-98 Year-2018 Thana- BALTHAR District- West Champaran

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MOHAMMAD CHHOTU @ MOHAMMAD CHHOTHU @ MD. CHATHU
son of Sk. Hasanjad R/o Village- Bhedihri, Post, Gauripur, P.S.-
Purushottampur, District- West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 28-01-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is in custody in connection with Balthar
P.S. Case No. 98 of 2018, registered for the offence punishable
under Section 30 (a) of the Bihar Prohibition and Excise Act,
2016.

Learned counsel for the petitioner submits that
petitioner has no criminal antecedent. He further submits that in
the instant case total 90 liters liquor was seized. Learned
counsel for the petitioner further submits that nothing was
recovered from the conscious possession of the petitioner and
seizure list was not prepared in accordance with law and even
the signature of the petitioner was not obtained on the seizure



list. He further submits that petitioner is in custody since 07.09.2018.

Considering the fact that the petitioner has no criminal antecedent and he has remained in custody nearly four and half months, let 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 to the satisfaction of the Learned Special Judge Excise, Bettiah, West Champaran in connection with Balthar P.S. Case No. 98 of 2018.

(Anil Kumar Upadhyay, J)

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