

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6803 of 2019

Arising Out of PS. Case No.-454 Year-2018 Thana- MAIRWAN District- Siwan

MD. SAHEB HUSSAIN @ SAHEB HUSSAIN (Male), Son of Hakim Miyan
Resident of Village - Badka Manjha, P.S.- Mairwa, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 06-02-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is in custody in connection with Mairwa P.S. Case No. 454 of 2018, registered for the offence punishable under Sections 272, 273, 308 of the Indian Penal Code and Section 30 (a), 38 (1), 41 (1) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner has no criminal antecedent. Learned counsel for the petitioner further submits that in the instant case total 28 liters of liquor and one bicycle was seized. He further submits that bicycle does not belong to the petitioner and nothing was recovered from the conscious possession of the petitioner. He submits that mandatory requirements of provisions of Section



100 (6) Cr.P.C. is not followed in preparation of the seizure-list.

He submits that petitioner is in custody since 20.11.2018.

Considering the fact that the petitioner has no criminal antecedent and he is in custody since 20.11.2018, let the petitioner named above 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 2nd Additional Sessions Judge- cum- Special Judge, Excise Act, Siwan in connection with Mairwa P.S. Case No. 454 of 2018.

(Anil Kumar Upadhyay, J)

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