

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12135 of 2019

Arising Out of PS. Case No.-77 Year-2018 Thana- MURAR District- Buxar *

SONU GUPTA S/o Ramjee Gupta @ Ram Jee Gupta Resident of Mohalla-
Chouk Road Dumraon, P.S.- Dumraon, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 27-02-2019 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 Murar PS Case No. 77 of 2018 for the alleged offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation in the instant case is that that total 28.800 liters of liquor was seized. Learned counsel for the petitioner submits that nothing was recovered from the conscious possession of the petitioner. He further submits that petitioner is in custody since 26.01.2019. He also submits that mandatory provision of Section 100, CrPC has not been followed in preparation of the seizure list.



Considering the fact that nothing was recovered from the conscious possession of the petitioner and he has remained in custody since 26.01.2019 the Court is inclined to enlarge the petitioner on bail. But while releasing him on bail the Court is conscious of the fact that in the past there was one case of similar nature against the petitioner and the Court is constrained to impose some stringent condition.

Accordingly, let the petitioner above named, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of special Judge, Excise Act, Buxar in connection with Murar PS Case No. 77 of 2018 subject to the condition that one of the bailors should be the elected representative of the local body.

(Anil Kumar Upadhyay, J)

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