

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12142 of 2019

Arising Out of PS. Case No.-36 Year-2019 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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SANJEET PODDAR S/o Ramvilas Poddar Resident of Village- Amba, P.S.-
Teghra, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar
For the Opposite Party/s : Mr.Md. Fahimuddin

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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 Muffasil PS Case No. 36 of 2019 for the alleged offence punishable under Sections 414 and 290 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

Allegation in the instant case is that 1175.82 liters of liquor was seized. Learned counsel for the petitioner submits that petitioner has no criminal antecedent, the persons apprehended with the liquor disclosed the name of the petitioner and nothing was recovered from physical and conscious possession of the petitioner. Neither petitioner is involved in



sale of liquor. Petitioner is in custody since 22.01.2019. He further submits that mandatory provision of Section 100, CrPC was not followed in preparation of the seizure list.

Considering the fact that the petitioner has no criminal antecedent and has remained in custody since 22.01.2019, this application is allowed.

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 Additional Sessions Judge II-cum-Special Judge, Excise Act, Begusarai in connection with Muffasil PS Case No. 36 of 2019.

(Anil Kumar Upadhyay, J)

mrl./-

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