

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13733 of 2019

Arising Out of PS. Case No.-389 Year-2018 Thana- PIRO District- Bhojpur

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Dinesh Yadav @ Dinesh Kumar Singh Son of Chandeshwar Singh, R/o village- Balua Tola, Ward No. 17, near Kabristan, P.S- Piro, P.O.- Piro, District- Bhojpur, (Ara) Bihar 802207.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Siddhartha Prasad
For the Opposite Party/s : Mr. Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 06-03-2019 Heard learned counsel for the petitioner and the

counsel appearing on behalf of the State.

The petitioner is in custody in connection with Piro
P.S. Case No. 389 of 2018 for the offences under Sections 30(A)
of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the
petitioner has no criminal antecedent and he is in custody since
05.02.2019. He further submits that in the instant case 3421.08
liters English wine was seized but nothing was recovered from
the conscious possession of the petitioner and he has no concern
with the seized liquor.

Learned counsel for the petitioner submits that the
seizure list was prepared in breach of the mandatory provisions



of Section 100 Cr.P.C. and petitioner has no concern with the truck and the articles kept inside the truck except the confessional statement of the driver of the truck there is no evidence to connect this petitioner in commission of crime.

Considering the fact that petitioner has no criminal antecedent and nothing was recovered from the conscious possession of the petitioner, the Court is inclined to grant bail to the petitioner, let the petitioner named above be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Court of learned Special Judge, Excise Act, Bhojpur, Ara in connection with Piro P.S. Case No. 389 of 2018.

(Anil Kumar Upadhyay, J)

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