

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1374 of 2019

Arising Out of PS. Case No.-442 Year-2018 Thana- GARDANIBAG District- Patna

Md. Faisal Ahmad, son of Md. Ali Zaman, resident of Dargah Road, Near
Tehre Masjid, P.S.- Sultanganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Smt. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 28-01-2019 Heard learned counsel for the petitioner and State.

The petitioner is in custody in connection with Special
Case No. 9223 of 2018, arising out of Gardanibagh P.S. Case
No. 442 of 2018 for the offence under Sections 30(a) and 38(i)
(ii) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the
petitioner has got no criminal antecedent and he is in custody
since 01.10.2018. He further submits that in the instant case
foreign liquor was seized from the premises of Aman Hospital.
He submits that the petitioner has no concern with the hospital
building and nothing was seized from the conscious possession
of this petitioner. He submits that the seizure list was not
prepared as per the mandatory provision prescribed under
Section 100 of the Cr.P.C.

Considering the fact that the petitioner has got no



criminal antecedent and he has remained in custody for more than three months, the petitioner, named above, is directed to 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 Special Judge, Excise Act, Patna in connection with Special Case No. 9223 of 2018, arising out of Gardanibagh P.S. Case No. 442 of 2018.

(Anil Kumar Upadhyay, J)

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