

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.80264 of 2018**

Arising Out of PS. Case No.-140 Year-2018 Thana- DAGARUA District- Purnia

Md. Konen @ Md. Kaunen son of Md Sakur Resident of village- Pashchim  
Tola Barsouni P.S. Dagarua District Purnea

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ram Prawesh Kumar  
For the Opposite Party/s : Mr.Sri Anil Kumar

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

2      28-01-2019                      Heard learned counsel for the petitioner and the  
counsel appearing on behalf of the State.

Petitioner is in custody in connection with Dagarua  
P.S. Case No. 140 of 2018 for the offence under sections 30(a)  
of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that  
petitioner has no criminal antecedent and he is in custody since  
27.10.2018. He submits that in the instant case 81.750 of english  
wine was recovered from a vehicle.

Learned counsel further submits that nothing was  
recovered from possession of the petitioner and seizure was not  
prepared in accordance with the mandatory provision of section  
100 Cr.P.C.

Considering the fact that petitioner has no criminal



antecedent and he is in custody since 27.10.2018, let the petitioner, named above, 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 learned 2<sup>nd</sup> Additional Sessions Judge-cum-Special Judge (Excise Act), Purnea, in connection with Dagarua P.S. Case No. 140 of 2018, Excise Case No. 671 of 2018.

**(Anil Kumar Upadhyay, J)**

Ravi/-

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