

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27329 of 2019

Arising Out of PS. Case No.-11 Year-2019 Thana- KORMA District- Sheikhpura

VIJAY RAM @ BIJAY RAM Son of Late Shivan Ram Resident of Village-
Murarpur, P.S.- Korma, District- Sheikhpura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 25-04-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is in custody in connection with Excise
Case No. 87 of 2019, arising out of Korma P.S. Case No.11 of
2019 registered for the offence punishable under Sections 272,
273 and 34 of the Indian Penal Code and under Section 30 (a) of
the Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioner submits that in the
instant case total 40 liters liquor was seized. Learned counsel for
the petitioner submits that nothing was recovered from the
possession of the petitioner. Learned counsel for the petitioner
would submit that mandatory requirements of provision 100
Cr.P.C. was not followed in preparation of seizure list. Learned
counsel for the petitioner submits that petitioner is in custody



since 14.03.2019.

Considering the fact that nothing was recovered from the conscious possession of the petitioner and seizure list was not prepared in accordance with law, the Court is inclined to grant bail to the petitioner. Let the petitioner named above be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Addl. District & Sessions Judge, Sheikhpura, in connection with Excise case No. 87 of 2019 arising out of Korma P.S. Case No. 11 of 2019.

(Anil Kumar Upadhyay, J)

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