

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26716 of 2019**

Arising Out of PS. Case No.-176 Year-2018 Thana- RAGHUNATHPUR District- Siwan

RAJESH KUMAR PANDEY @ RAJESH PANDEY Son of Late Vijay
Pandey Resident of Village - Dhorhan Sultanpur, P.S.- Raghunathpur, District-
Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.Md. Fahimuddin

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

2 23-04-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is in custody in connection with
Raghunathpur P.S. Case No. 176 of 2018, registered for the
offence punishable under Sections 414, 272, 273, 308 of the
Indian Penal Code and Section 30 (A), 38 (A) and 41 (i) of the
Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the
petitioner has no criminal antecedent. Learned counsel for the
petitioner further submits that in the instance case total 392.280
liters liquor was seized. Learned counsel for the petitioner
submits that petitioner was not arrested at spot. Learned counsel
for the petitioner next contended that mandatory requirements of



provisions of Section 100 Cr.P.C. is not followed in preparation of the seizure-list. Learned counsel for the petitioner would submit that petitioner has surrendered on 3.4.2019.

Considering the fact that the petitioner has no criminal antecedent, the Court is inclined to grant bail to the petitioner. Let the petitioner named above is directed to 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 A.D.J. IInd-Cum- Special Judge, Excise Act, Siwan in connection with Raghunathpur P.S. Case No. 176 of 2018.

(Anil Kumar Upadhyay, J)

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