

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33518 of 2019

Arising Out of PS. Case No.-179 Year-2018 Thana- DAWATH District- Rohtas

UPENDRA SINGH @ KALIYUG Son of Ratan Lal Resident of Village -
Itwa, P.S.- Dawath, District- Rohtas ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Ajay Kumar Singh, Advocate
For the Opposite Party : Mr.Satyadeo Singh Yadav, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 31-07-2019 Heard learned counsel for the petitioner as well as
learned counsel for the State.

Petitioner apprehends arrest in a case registered for
the offences punishable under Section 30(a)/35/38 of the Bihar
Prohibition and Excise Act, 2016.

There is allegation of recovery of 216 liters of foreign
liquor from half constructed rooms of Anganbari Center being
used to keep fodder by the petitioner.

Learned counsel for the petitioner submits that the
petitioner is not concerned with the seized liquor and nothing
has been recovered from his possession and he has got no
criminal antecedent. The mandatory provision under Section
100 Cr.P.C. has not been followed at the time of seizure.

Considering the facts of the case, let the petitioner,
above named, in the event of his arrest/surrender before the



Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge II cum Special Judge Excise Act, Rohtas at Sasaram in Dawath Police Station Case No. 179 of 2018, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully co-operate with the investigation and trial of the case, failing which the Court below shall be at liberty to cancel the bail bond of the petitioner.

(Prabhat Kumar Singh, J)

Shashi

U		T	
---	--	---	--

