

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75700 of 2019

Arising Out of PS. Case No.-287 Year-2019 Thana- MAHNAR District- Vaishali

VIJAY CHAUDHARY Son of Late Munilal Chaudhary Resident of Village-
Jalalpur, Jamalpur, P.S.- Mahnar, District- Vaishali ... Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr.Rajive Ranjan Singh, Advocate

For the Opposite Party : Mr.Amitesh Kumar, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-11-2019

Heard learned counsel for the parties.

Petitioner apprehends arrest in a case registered for the offence punishable under section 30a of the Bihar Prohibition and Excise Act, 2018.

Six liters of country made liquor was recovered from the Baranda of the petitioner's house.

Learned counsel for the petitioner submits that the recovery is said to be from Baranda, which is a open place of the house. Petitioner has got no criminal antecedent. Mandatory provisions of section 100 Cr.P.C. has not been followed for search and seizure.

Learned counsel for the State opposes the prayer for bail.

In view of the facts and circumstances of the case, prayer for bail of the petitioner is rejected with direction to surrender and seek regular bail within a period of six weeks, which would be disposed of on its own merit without prejudice.

(Prabhat Kumar Singh, J)

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