

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13060 of 2020

Arising Out of PS. Case No.-9 Year-2020 Thana- AGIAON BAZAR District- Bhojpur

1. SUSHIL TIWARI Son of Lav Kumar Tiwari Resident of Village-Amchata, P.S.-Agiyon Bazar, District-Bhojpur.
2. Majhil Tiwari Son of Lav Kumar Tiwari Resident of Village-Amchata, P.S.-Agiyon Bazar, District-Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiv Prasad Gupta

For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-03-2020 Heard learned counsel for the parties.

The petitioners apprehend their arrest in Agiyaon Bazar P.S. Case No 09 of 2020 Registered for the offence under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

37.620 litres of english wine is said to have been recovered from the house of the co-accused.

Learned Counsel for the petitioners submits that nothing has been recovered from the possession of the petitioners. Mandatory provisions under Section 100 Cr.P.C has not been followed with regard to seize and seizure. Petitioners have clean antecedent.

Considering the aforesaid facts and circumstances as



well as nature of accusation, in the event of their arrest/surrender within a period of six weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 4th Additional Sessions Judge-cum-Special Excise Act, Bhojpur, Ara in connection with Agiyaon Bazar P.S. Case No. 09 of 2020 , subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Prabhat Kumar Singh, J)

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