

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65531 of 2024

Arising Out of PS. Case No.-1 Year-2023 Thana- ALAMNAGAR District- Madhepura

Chandan singh S/o Gopal Singh R/o vill - Ladma, ward no. 7, P.S. -
Alamnagar, Distt. - Madehpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 01-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Alamnagar P.S. Case No. 01 of 2023 dated 01.01.2023, instituted for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. The allegation is of recovery of 10 litres of country made mahua liquor from the door of the accused persons.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and he has been falsely implicated in this case. It is submitted that nothing has been recovered either from the conscious possession or from the house of the petitioner rather the said illicit wine was recovered from outside the house of the petitioner. It is submitted that no



search and seizure was done in accordance with law. Nor any mandatory provision of Section 100 of the Cr.P.C. has been followed.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest/surrender of the petitioner within a period of six weeks from today, in connection with Alamnagar P.S. Case No. 01 of 2023, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VII-Cum-Special Judge, Excise-II, Madhepura subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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