

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36893 of 2016

Arising Out of PS.Case No. -218 Year- 2016 Thana -GAYA MUFFSIL District- GAYA

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1. Teju Prajapat @ Tejeshvi Kumar @ Teju Son of Ganesh Prajapat @
Siyaram Prajapat resident of Mohalla- Manpur, Kumhar Toli, P.S.-
Moffasil, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramashish

For the Opposite Party/s : Mr. Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 06-09-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Section 47 of Bihar Excise
(Amendment) Act, 2016.

The alleged recovery is said to have been made from
dickky of a vehicle and the occupants of the aforesaid vehicle
managed to escape from there. The informant claims that he had
confidential information that petitioner was carrying illicit liquor
through the aforesaid vehicle. Admittedly, neither petitioner was
caught on the spot nor anything was recovered from his conscious
possession. The impugned order goes to show that the learned

Additional Sessions Judge, Gaya committed error on the record observing that the alleged recovery has been made from conscious possession of the petitioner. Petitioner does not have any criminal antecedent and is languishing in jail custody since 04.07.2016.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gaya in connection with Muffasil P.S. Case No. 218 of 2016.

(Hemant Kumar Srivastava, J)

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