

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38764 of 2018

Arising Out of PS.Case No. -28 Year- 2018 Thana -FATUHA District- PATNA

=====

Gautam Kumar aged about 21 years, S/O Nagina Das R/O- Village-
Maksudpur, P.S.- Fatuha, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pratyush Kumar

For the Opposite Party/s : Mr. Matloob Rab

=====

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

02 03-07-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered for the offence
punishable under Section 30 (a) of the Bihar Prohibition and
Excise Act, 2016.

34.200 liters of country made liquor is said to have been
recovered from the mustard field of Malluji and petitioner
managed to escape from the aforesaid place.

It is submitted by learned counsel for the petitioner that no
incriminating article has been recovered from the conscious
physical possession of the petitioner. He has no concern either
with the seized liquor or the place of recovery. The place of
recovery is an open place and easily accessible to anyone. He has
been falsely implicated in this case at the instance of his enemy.



- 2 -

He has no criminal antecedent and has been languishing in custody since 29.04.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged 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 Special Judge (Excise), Patna in connection with Fatuha P.S. Case No. 28 of 2018, Special Case No.- 455 of 2018.

(Prakash Chandra Jaiswal, J)

Trivedi/-

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

