

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47354 of 2018

Arising Out of PS. Case No.-285 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

Gamma Rai @ Gama Rai, S/o Ramchandrarai, R/o Vill-Bela Jeetpur, P.S.
Jitana, Distt-East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Narsingh Tanti

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

ORAL ORDER

2 02-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Excise
Case No. 285 of 2018 registered for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

162 lts. of Nepali wine is said to have been dumped
by several accused persons including the petitioner. Petitioner
was apprehended on giving chase while other accused persons
managed to escape.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious
physical possession of the petitioner. He has no concern either
with the seized liquor or with the place of recovery. He has



been falsely implicated in this case by the personnel of of Excise Department merely on suspicion while he was passing through the place of occurrence at the time of occurrence and real culprits managed to escape dumping the aforesaid liquor there seeing personnel of Excise Department. There is no compliance of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 22.06.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, East Champaran, Motihari in connection with Excise Case No. 285 of 2018.

(Prakash Chandra Jaiswal, J)

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