

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77222 of 2018

Arising Out of PS. Case No.-202 Year-2018 Thana- MOHAMMADPUR District- Gopalganj

Kameshwar Dass, son of late Shiv Shankar Das, resident of village –
Karasghat, Police Station – Mohammadpur, District - Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate

For the Opposite Party/s : Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 21-12-2018 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in connection with Mohammadpur P.S. Case No. 202 of 2018 instituted for the offence under Sections 30(a), 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

In the written report it is alleged that police got secret information that Anil Das of village Karasghat brought huge quantity of liquor. He with the help of Kameshwar Das, Saraswati Devi and Laxman Das loaded the same on Motorcycle and concealing the same. The police reached in front of house of Anil Das and found him boarded with one bag on Motorcycle. Seeing the police party, he started running away leaving the Motorcycle there. The police chased him but he managed to run away taking advantage of darkness. In presence of Chowkidar the police searched the bag tied up on the Motorcycle and found huge quantity of foreign liquor.



Counsel for the petitioner submits that in the written report it is alleged that police got information that Anil Das indulged in sale and purchase of illicit liquor. The police raided the house of Anil Das and recovered illicit liquor as mentioned in the written report from the front and back side of his house. Petitioner has been made accused because he is brother of Anil Das. He has clean antecedent.

The seizure list does not bear signature of the petitioner.

Petitioner is in custody since 16.11.2018.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Gopalganj in connection with Mohammadpur P.S. Case No. 202 of 2018 subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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