

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7896 of 2018

Arising Out of PS.Case No. -303 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District-
SAMASTIPUR

=====

Gopal Rai, Son of Maheshwar Rai, resident of Village- Waini, Ward No. 2,
Police Station- Waini, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

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

The petitioner seeks bail in connection with Excise
Case No.303 of 2017 registered under Sections 30(a) and 38(i) of
the Bihar Prohibition and Excise Act.

The accusation is of recovery of 8 bottles, each
containing 750 ml. Indian Made Foreign Liquor, from the toilet,
situated outside the house of the petitioner.

Learned counsel appearing on behalf of the petitioner
submits that it would appear from the F.I.R. that the alleged
recovery was not made from the conscious possession of the
petitioner and the petitioner was not apprehended on the spot. The



petitioner having no criminal antecedent is in custody since 04.01.2018.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-VI-cum-Special Judge, Excise Act, Samastipur, in connection with Excise Case No.303 of 2017.

(Rajendra Kumar Mishra, J)

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