

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50692 of 2018

Arising Out of PS.Case No. -99 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District -
GOPALGANJ

=====

Ramakant Mahto Son of Shri Vishwanath Mahto Resident of Village:
Harpur Rajokhar, P.S. Gopalganj, District: Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL

ORAL ORDER

2 21-08-2018 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.

155.800 litres of foreign liquor is said to have been
recovered from the field which is said to have been kept there by
the petitioner and petitioner managed to escape from the said
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 with the place of recovery. The place of



recovery is open place and easily accessible to anyone. He has been falsely implicated in the case at the instance of his enemy. He was not apprehended on the spot. There is violation of Section 100 Cr.P.C. He has been languishing in custody since 30.06.2018.

Considering the facts aforesaid, 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 2nd Additional Sessions Judge-cum- Special, Excise Judge, Gopalganj in connection with Excise Case No. 99 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

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