

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52310 of 2018

Arising Out of PS.Case No. -172 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
BEGUSARAI

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Guneshwar Sada, son of Asharfi Sada, resident of Village- Dewra, P.S.-
Nawkothe, District- Begusarai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shree Niwas Singh

For the Opposite Party/s : Mr. Anil Kumar Singh 1

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 25-08-2018 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.

3 liters of country made liquor and 100 kgs. of raw
material, which was destroyed during the course of excavating
the said place, is said to have been recovered behind the house of
the petitioner.

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



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recovery is an open place and easily accessible to anyone and he had no knowledge of keeping of the seized article there by someone. He has no criminal antecedent and has been languishing in custody since 01.06.2018.

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 Additional Sessions Judge-II-cum-Special Judge Excise Act, Begusarai in connection with Excise Case No. 172C2 of 2018.

(Prakash Chandra Jaiswal, J)

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