

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36135 of 2018

Arising Out of PS. Case No.-154 Year-2018 Thana- GOPALGANJ TOWN District-
Gopalganj

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Kallu Miya @ Mahamad Mustafa @ Md. Mustafa, Son of Mithu Miya,
resident of At Ward No. 17, Hazam Toli, Police Station- Gopalganj, District-
Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

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

For the Opposite Party/s : Mr. Mukesh Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 28-06-2018 Heard Mr. Javed Aslam, learned counsel for the

petitioner and Sri Mukesh Kumar Singh, learned Addl. Public

Prosecutor.

The sole petitioner, having clean antecedent, which
fact has been stated in paragraph-3 of the petition, apprehending
his arrest in Gopalganj Town P.S. Case No.154 of 2018,
registered for the offence under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016, has prayed for grant of bail, in
the event of his arrest or surrender.

It was submitted by learned counsel for the petitioner
that in this case, nothing was recovered either from conscious
possession of the petitioner or his premises, whereas in this
case, recovery of about 10 litres of Indian Make Foreign Liquor



was shown on the road situated opposite to the house of the petitioner. He submits that petitioner was not having any connection with the seized articles, but being resident of the nearby place, from where recovery was affected, the petitioner has falsely been implicated.

Be that as it may, considering the nature of accusation as well as fact that the petitioner is having clean antecedent, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner, namely, Kallu Miya @Mahamad Mustafa @ Md. Mustafa 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 learned 2nd Addl. Sessions Judge-cum-Special Judge, Gopalganj in connection with Gopalganj Town P.S. Case No.154 of 2018, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

nawalkrs/-

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