

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53392 of 2018

Arising Out of PS.Case No. -158 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
GOPALGANJ

=====

Osihar Bhagat, Son of Shiv Pujan Bhagat, Resident of village – Karariya,
P.s.-Gopalganj, District – Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Yogendra Kumar

=====

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 29-08-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

302.400 litres of foreign liquor is said to have been
recovered from the hut said to be hailing to the petitioner and the
petitioner was apprehended from his house.

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 hut in question. Aforesaid hut is
located outside the house of the petitioner and is in abandoned



condition and is open one which is easily accessible to anyone. He had no knowledge of keeping of the said liquor there by someone. Petitioner is residing in his pakka house. There is violation of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 14.07.2018.

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 Addl. Sessions Judge cum Special Judge, Excise, Gopalganj in connection with Excise Case No. 158 of 2018.

(Prakash Chandra Jaiswal, J)

Mishra/-

U		T	
---	--	---	--

