

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24573 of 2019

Arising Out of PS. Case No.-40 Year-2019 Thana- VIJAYEPUR District- Gopalganj

Ashok Nut, aged about 75 Years, Male, Son of Late Gulteni Nut Resident of
Village- Sukhlal chhapar, P.S.- Vijaipur, District- Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Dhramveer

For the Opposite Party/s : Mr. Humayou Ahmad Khan

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 17-04-2019 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of Bihar Prohibition and
Excise Act, 2018.

24 litres Mahua liquor is said to have been recovered
from possession of the petitioner for which petitioner is in jail
custody since 18.03.2019. Para-3 of the petition reveals that
earlier two cases were lodged against the petitioner but not for
the offences of Excise Act.

Submission on behalf of the petitioner is that the
petitioner was caught on suspicion and as a matter of fact, the
alleged recovery was made not from conscious possession of the



petitioner rather the same was made from a field.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of this fact that petitioner is aged about 75 years, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Gopalganj in connection with Vijaipur P.S. Case No. 40 of 2019.

(Hemant Kumar Srivastava, J)

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