

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33806 of 2019

Arising Out of PS. Case No.-119 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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Shambhu Rai S/o Late Gaya Rai Resident of Basaunapur, P.O.- Dedhavo,
P.S.- Gopalpur, District- Gopalganj, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sumit Shekhar Pandey

For the Opposite Party/s : Mr. Anand Kishore Choudhary

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 23-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Excise
Case No. 119 of 2019 registered for the offence punishable
under Section 30(a) of Bihar Prohibition and Excise Act-2016.

26.280 lts. of country made liquor is said to have
been recovered from the bag of the petitioner and he was
apprehended.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious
physical possession of the petitioner. He has no concern with the
seized liquor. He has been falsely implicated in this case at the
instance of his enemy by planting the aforesaid recovery from



his possession. There is violation of Section 100 Cr.P.C. Petitioner has no criminal antecedent and has been languishing in custody since 17.04.2019.

On the other hand, learned APP for the State opposed the bail prayer of the petitioner.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-II-cum-Special Judge, Excise, Gopalganj in connection with Excise Case No. 119 of 2019.

(Prakash Chandra Jaiswal, J)

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