

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82995 of 2019

Arising Out of PS. Case No.-338 Year-2019 Thana- KUCHAIKOTE District- Gopalganj

Sagar Sharma @ Sagar Gosai, son of Late Radha Sharma @ Radha Gosai
resident of Village- Madho Math, P.S.- Kuchaikote, District- Gopalganj.

... .. Petitioner.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Binod Singh, Advocate.
For the Opposite Party/s : Mr. Shantanu Kumar, APP

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

ORAL ORDER

2 16-12-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 30 (a) of
the Bihar Prohibition and Excise Act.

One liter of country made liquor is said to have
been recovered from the handle of the motorcycle hailing to 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 with the seized liquor. He happens to be owner of the
motorcycle in question but he had given the said motorcycle to



the friend of his son for plying. There is violation of Section 100 Cr.P.C. He is aged bout 70 years. No offence under Excise Act has been made out against the petitioner. He has no criminal antecedent.

Learned APP for the State opposed the bail petition.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-II-cum-Special Judge Excise, Gopalganj in connection with Kuchaikote P.S. Case No. 338 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J.)

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