

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6725 of 2020**

Arising Out of PS. Case No.-239 Year-2019 Thana- BUNIYADGANJ District- Gaya

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DAMODER KUMAR S/o Sri Sagar Singh Resident of Village- Rupaspur,
P.S.- Buniyadganj, Distt- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satya Veer

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 11-06-2020 Heard both sides.

The matter has been taken up through video conferencing.

The petitioner apprehends his arrest in Buniyadganj P.S. case No. 239/2019 registered under Section 30(a) of the Bihar Prohibition & Excise Act.

The learned counsel for the petitioner submits that 17.625 liters of Indian made foreign liquor is said to have been recovered from a bush situated near open field of the petitioner and for that the petitioner has been made accused.

Considering the facts aforesaid and nature of allegation made against the petitioner and the fact that recovery is made from a bush near open field of the petitioner and there is no material on record to show that petitioner had kept the liquor



in the bush, the petitioner, above named, in the event of his arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Gaya in connection with Buniyadganj P.S. case No. 239/2019, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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