

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10420 of 2020**

Arising Out of PS. Case No.-24 Year-2020 Thana- BARAULI District- Gopalganj

PRABHU PRASAD @ PRABHU PRASHAD Son of Late Narsingh Sah
Resident of Village - Barauli Bazar, P.S.- Barauli, Dist.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Naushad Uzzoha
For the Opposite Party/s : Mr.Ajay Kumar

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

4 03-03-2020 Heard learned counsel for the parties.

This application for regular bail arises out of Barauli (Madhopur) P.S. Case No. 24 of 2020, disclosing offence under Section 30(a) of the Bihar Prohibition & Excise Act, 2018.

The petitioner runs a business dealing with sand and stone chips. Allegedly from beneath a heap of sand, as per the case of the prosecution, police recovered 16.920 of foreign liquor.

Learned counsel appearing on behalf of the petitioner has submitted that it is not the case of the prosecution that recovery has been made from the petitioner's possession. He was apprehended while fleeing away from the place of seizure.

Considering the facts and circumstances of the present



case including the quantity of liquor alleged to have been recovered and that the petitioner is in custody since 02.02.2020, this application is allowed.

Let the petitioner above-named be released 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 Additional Distirct and Sessions Judge-II-cum-Special Judge, Excise, Gopalganj in Barauli (Madhopur) P.S. Case No. 24 of 2020.

(Chakradhari Sharan Singh, J)

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