

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40916 of 2020

Arising Out of PS. Case No.-329 Year-2020 Thana- KUCHAIKOTE District- Gopalganj

PRAKASH RAM @ PRAKASH RAUT SON OF GAYA RAM RESIDENT
OF VILLAGE - SIPAYA FARM, P.S. - BISHAMBHARPUR, DISTRICT -
GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Adv.

For the Opposite Party/s : Mr. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 10-02-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Kuchaikote P.S. Case no. 329 of 2020 registered under sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, a total of 68.4 litres of liquor was recovered from two motorcycles, one of which was being driven by this petitioner.

It is submitted by learned counsel for the petitioner that no recovery as alleged has taken place from the person or motorcycle of the petitioner. He has been falsely implicated because of earlier case against him. He is in custody since



29.8.2020 and chargesheet has been submitted in the case.

The application for bail is opposed by learned APP for the State who submits that petitioner has an antecedent of a case under the Excise Act.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner and the petitioner being in custody since 29.8.2020, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Kuchaikote P.S. Case no. 329 of 2020 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional District and Sessions Judge-cum-Special Judge, Excise, Gopalganj.

(Partha Sarthy, J)

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