

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66882 of 2023

Arising Out of PS. Case No.-563 Year-2023 Thana- Excise P.S. District- Kaimur (Bhabua)

GAUTAM KUMAR Son of Late Ajit Kumar R/o Mohalla - Gola Ward no.
21, ara, P.s. - Town, Distt. - Bhojpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarfraz Ahmad

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Excise P.S. Case No. 563 of 2023 registered on 24.08.2023
lodged under Sections 30(a) and 56(b) of the Bihar Prohibition
and Excise Act (Amendment), 2016.

3. As per the prosecution case, F.I.R. has been lodged
against one accused persons who is the driver of the car has
been apprehended from the place of occurrence and total of
about 300 litre of illicit wine is alleged to be recovered is the
subject matter of this case.

4. Counsel further submits that petitioner is innocent
and has committed no offence. He further submits that petitioner
is in custody since 24.08.2023 having clean antecedent.



5. Learned counsel for the State opposes the prayer for bail and submits that there is no criminal antecedent of the petitioner but recovery has been made from the car which he was driving.

6. In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner. Therefore, the bail application stands rejected.

7. However, the trial Court is directed to release the petitioner on bail by imposing its own condition so that the petitioner may not evade appearance during the trial, if he renews his prayer for bail after framing of charge.

8. With this observation, the bail application stands disposed of.

(Dr. Anshuman, J)

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