

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68898 of 2023

Arising Out of PS. Case No.-388 Year-2023 Thana- ARA MUFFSIL District- Bhojpur

Gautam Yadav, Son of Jamadar Yadav, Resident of Village Dhamar, P.S. Ara
Mufassil, District Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Diwakar, Advocate Mr. Deepak Kumar, Advocate Mr. Shivam Kumar, Advocate Mr. Anuranjan Patel, Advocate
For the Opposite Party/s	:	Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 01-11-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Ara Mufassil P.S. Case no. 388 of 2023, registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on seeing the police personnel two accused persons made an attempt to escape but the petitioner was caught. On search, 70 litres of illicit liquor was recovered.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. He has no antecedent under the Bihar Prohibition and Excise Act, 2016.



The alleged place of recovery is behind one temple which is an open place accessible to all. The allegations in the FIR are false and concocted. The petitioner is in custody since 31.8.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner, the alleged place of recovery not being under the exclusive control of this petitioner and especially the petitioner not having any antecedent under the Bihar Prohibition and Excise Act, 2016, the petitioner is directed to be enlarged on bail in connection with Ara Mufassil P.S. Case no. 388 of 2023, 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 Exclusive Special Excise Court-Ist, Bhojpur at Ara.

(Partha Sarthy, J)

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