

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70830 of 2023

Arising Out of PS. Case No.-452 Year-2023 Thana- Excise P.S. District- Bhagalpur

GAUTAM KUMAR SON OF JAY NARAYAN PRASAD YADAV
RESIDENT OF VILLAGE - BHATGAMA, P.S. - CHAUSA, DISTRICT -
MADHEPURA (BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anand Prakash

For the Opposite Party/s : Mr.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of
194.63 liters of illegal foreign liquor from a hut.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner was apprehended on spot. He
submitted that the petitioner has no concern with the seized
liquor and the place of occurrence does not belongs to the
petitioner. No incriminating article has been recovered from the



conscious possession of the petitioner. On the basis of suspicion, petitioner has been made accused in the present case. He is languishing in judicial custody since 13.08.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge-I, Bhagalpur in connection with Naugachia Excise P.S. Case No. 452 of 2023.

(Sunil Kumar Panwar, J)

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