

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39694 of 2024

Arising Out of PS. Case No.-03 Year-2024 Thana- Gaura P.S. District- Saran

Lal Babu Nut @ Lalbabu Nat S/o Multan Nut @ Samultan Nut R/o Village-
Usari Kala, P.S.-Isuapur, District-Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 03-06-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Gaura P.S. Case no.3 of 2024 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, 50 litres of country made liquor was recovered from the motorcycle in question which belonged to the petitioner.

4. Learned counsel for the petitioner submits that no incriminating article has been recovered from the petitioner's possession and he was not taken into custody on the date of the alleged recovery. While the F.I.R. was registered on 3.3.2024, the petitioner was taken into custody only on 4.4.2024. The cause of his false implication is his antecedents.



5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the F.I.R., his not having been arrested at the spot together with the petitioner being in custody since 4.4.2024, the Court directs the petitioner to be enlarged on bail in connection with Gaura P.S. Case no.3 of 2024 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 Exclusive Special Excise Court, Saran at Chapra.

(Partha Sarthy, J)

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