

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69518 of 2024

Arising Out of PS. Case No.-110 Year-2024 Thana- NOWKOTHI GARHPURA District-
Begusarai

=====

Gorelal Singh @ Gorka, Son of Late Lalan Singh, R/o Village-Pahsara, P.S.-
Naokothi, Dist.- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-09-2024 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection
with Naokothi P.S. Case No.110 of 2024 registered for the
offences punishable under Sections 61 of the Bhartiya Nyaya
Sanhita, 2023 and Section 30(a) of the Bihar Prohibition and
Excise Act, 2022.

3. The accused/petitioner is named in the FIR and
is in custody since 06.08.2024.

4. Allegation against the petitioner is to be
engaged in illegal trading/manufacturing of illicit liquor,
where there is recovery of 302.91 liters of IMFL/foreign
made liquor from the alleged orchard.



5. Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner appears in present case out of disclosure made by co-accused Raja Kumar. It is also submitted that recovery appears to be made from an open place, which is accessible by general public and, therefore, admittedly no illicit liquor appears to be recovered from the conscious physical possession of this petitioner. It is also pointed out that seizure list appears doubtful, being supported by departmental witnesses only.

6. Learned APP opposes the prayer for grant of bail to the petitioner.

7. In view of aforesaid facts and circumstances, as *prima facie* there is no recovery of illicit liquor from the physical possession of this petitioner, where petitioner is in custody since 06.08.2024, accordingly, the petitioner, above-named, is directed to be released on bail 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 Judge-1st, Begusarai in connection with Naokothi P.S. Case No.110 of 2024, subject



to the conditions as laid down under Section 437(3) of the
CrPC/under Section 480(3) of the BNSS.

(Chandra Shekhar Jha, J.)

Sanjeet/-

U		T	
---	--	---	--

