

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45 of 2025

Arising Out of PS. Case No.-308 Year-2024 Thana- Excise P.S. District- Khagaria

Gautam Kumar @ Gautam Yadav S/o Umesh Yadav Resident Of Village-
Ekniya, ward No 12, Ps- Mansi, Distt.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Kishor Poddar
For the Opposite Party/s : Mr.Suman Kumari Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 18-02-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Khagaria P.S. Case No. 308 of 2024 (Excise Case No. 1306 C3/2024) dated 13.10.2024 registered for the offences punishable u/s 30(a), (C) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 40 litres of illicit country made liquor and liquor making apparatus were recovered from the two plastic sacks near the Gandak river.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The said recovery has been made from an open place



that is accessible to anyone. The petitioner has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 14.10.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Khagaria in connection with Khagaria P.S. Case No. 308 of 2024 (Excise Case No. 1306 C3/2024).

7. The application stands allowed.

(Chandra Prakash Singh, J)

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