

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1884 of 2025**

Arising Out of PS. Case No.-107 Year-2024 Thana- KASMA District- Aurangabad

Gautam Kumar @ Gautam Kumar Gaurav S/o Surendra Prasad Resident Of
Village- Nagwan, P.S.- Imamganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan, Adv.

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 04-02-2025 Heard the parties.

2. The accused/petitioner is named in the F.I.R. and apprehending his arrest in connection with Kasma P.S. Case No. 107 of 2024 registered for the offences punishable under Sections 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2022.

3. The allegation against the petitioner is to be involved in illegal trading of illicit liquor, where, there is recovery of 227 litres of IMFL/country made liquor from the possession of co-accused.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the name of petitioner transpired



in the present case on the basis of the disclosure made by apprehended co-accused namely, Jugesh Kumar Paswan and in furtherance of said disclosure no incriminating material recovered from the physical possession of this petitioner. While concluding the argument, it is submitted that petitioner found involved in one more criminal case of similar nature where he is in on bail

5. Learned APP, opposes the prayer of bail.

6. In view of aforesaid factual submission as recovery of illicit liquor *prima-facie* not appears to be made from physical possession of this petitioner, accordingly, petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Court no. 1, Aurangabad/concerned Court, where the case is pending in connection with Kasma P.S. Case No. 107 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/ Section 482(2) of BNSS, with



further condition:-

(i) That accused/petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(Chandra Shekhar Jha, J)

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