

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26854 of 2022**

Arising Out of PS. Case No.-131 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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Aamir Mansuri Son of Aslam Mansuri @ Md. Aslam Ansury Resident of
Mohalla- Taj Nagar Karbala Road, P.S.- Phulwarisharif, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate

For the Opposite Party/s : Mr.Satyendra Narayan Singh, APP

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

2 05-08-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State

through virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Gaya
Excise Case No. 131 of 2022 registered for the offence under
Sections 30(a) and 56(B) of the Bihar Prohibition and Excise
Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 05.03.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is



recovery of 44.250 litres of IMFL from Mahindra Xylo Vehicle bearing registration no. BR01PC-6488.

Learned counsel appearing on behalf of the petitioner submitted that nothing surfaced during course of investigation, which may suggest that petitioner was under knowledge to have in possession of illegal consignment of illicit liquor. It is also submitted that petitioner is a man of clean antecedent. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded that the petitioner is driver of the alleged vehicle.

Considering the facts and circumstances as mentioned above, as recovery of illicit liquor is not made from the conscious physical possession of the petitioner, who is a man of clean antecedent coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Gaya Excise Case No. 131 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Excise Court No.-03,



Gaya/concerned court, subject to the conditions as mentioned
under Section 437(3) of Cr.P.C.

(Chandra Shekhar Jha, J)

pooja/-

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