

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25230 of 2022**

Arising Out of PS. Case No.-148 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.  
District- Gaya

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AMARJEET KUMAR S/o Satyendra Yadav R/o village- Uchatha, P.S.-  
Shakurabad, District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Shivendra Prasad, Advocate  
For the Opposite Party/s : Mr.Binod Kumar, APP

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

2      22-07-2022                      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 Excise  
Case No. 148 of 2022 registered for the offence under Section  
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 11.03.2022.

The allegation against the petitioner is to be engaged  
in illegal trade/manufacturing of illicit liquor, where, there is  
recovery of 79.5 litres of IMFL from the car bearing



Registration No. BR1AC-3125.

Learned counsel appearing on behalf of the petitioner submitted that the alleged recovery of illicit liquor from the car, which was jointly occupied by other co-accused persons, and as such it cannot be said to be recovered from the conscious physical possession of the petitioner. 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 the fact that alleged recovery of illicit liquor is from the car.

Considering the facts and circumstances as mentioned above, as the alleged recovery of illicit liquor has not been 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 Excise Case No. 148 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 Judge Excise Act,



Gaya/concerned court, subject to the following conditions:

*“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.*

*(ii) That one of the bailors shall be Sujeet Kumar, who is the brother of the petitioner and deponent of the present bail petition.”*

**(Chandra Shekhar Jha, J)**

R.S.Sen/-

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