

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27364 of 2022

Arising Out of PS. Case No.-60 Year-2022 Thana- ROSHANGANJ District- Gaya

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LAXMAN KUMAR S/o Ambika Sao R/o village- Tandwa, P.S.- Pratappur,
Distt.- Chatra (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anmol Kumar, Advocate
For the Opposite Party/s : Mr.Parmanand Kumar, 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
Raushanganj P.S. Case No. 60 of 2022 registered for the offence
under Section 30(a) of the Bihar Prohibition and Excise Act,
2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 02.04.2022.

The allegation against the petitioner is to be engaged



in illegal trading/manufacturing of illicit liquor, where, there is recovery of 50 litres of IMFL/country made liquor from motorcycle bearing Chasis No. MBLHARI84HHH92792.

Learned counsel appearing on behalf of the petitioner submitted that alleged motorcycle is not belong to the petitioner, where recovery of illicit liquor was made. It is submitted that petitioner was delivery man, as per seizure list, was falsely implicated in this case. It is submitted that seizure list not supported by independent witnesses. 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 seizure list not supported by independent witnesses.

Considering the facts and circumstances as mentioned above, as seizure list is disputed, where petitioner 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 Raushanganj P.S. Case No. 60 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, Judge, Court No-3, Gaya/concerned court, subject to the conditions as mentioned under Section 437(3) of Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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